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THE EARLS OF MERCIA

LORDSHIP AND POWER IN
LATE ANGLO-SAXON ENGLAND

STEPHEN BAXTER

OXFORD HISTORICAL MONOGRAPHS

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THE EARLS OF MERCIA

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*Lordship and Power in Late
Anglo-Saxon England*

STEPHEN BAXTER

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For my parents

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Preface

The earls of Mercia achieved something unique in late Anglo-Saxon England: Ealdorman Leofwine, his son Earl Leofric, grandson Earl Ælfgar, and great-grandsons Eadwine and Morcar retained power between 994 and 1071. No other English aristocratic family is known to have survived this extraordinary period of political and dynastic turbulence. The book describes and explains this family's political longevity. In doing so, it offers a fresh interpretation of the ways in which power was mediated and politics functioned in the early English kingdom. It examines the nature and limits of the powers of earls, reconstructs the machinery of royal patronage, considers the uses made of religious patronage in the creation of local power structures, develops a new method for reconstructing pre-Conquest lordship using Domesday evidence, and explores the tension between local and national politics during this decisive phase of English history. It does *not* contain a definitive prosopography of the house of Leofwine, an exhaustive treatment of the reign of Edward the Confessor, or a comparative analysis of the late Anglo-Saxon nobility and their continental counterparts; I hope to publish on these topics in due course.

I should like to take this chance to register my gratitude to some inspirational teachers: Keith Foreman of Comberton Village College, Cambridgeshire; Charles Malyon of Hills Road Sixth Form College, Cambridge; John Maddicott of Exeter College, Oxford; Patrick Wormald of Christ Church, Oxford; and Cliff Davies and Jane Garnett of Wadham College, Oxford. The thesis which underpins this book was written while I was a graduate student at Christ Church, and was made possible by a grant from the Arts and Humanities Research Board. It was adapted during my tenure of a Research Fellowship at Magdalen College, Oxford, and was completed during the first three years of my lectureship at King's College, London. I have been fortunate in my colleagues in both of these colleges, and have learned a great deal from my students—especially those who have taken my Norman Conquest special subject: much of what follows has been tested upon and refined by them. Patrick Wormald supervised the doctoral thesis from which this book is derived, and sustained my research for several years with his remarkable ability to generate intellectual excitement.

John Blair and Ann Williams examined my thesis, suggested many improvements, and have been generous with help and encouragement ever since. James Campbell, George Garnett, and John Hudson read and commented upon chapters of the book at different stages in its development. Laura Ashe read most of the book in manuscript and has been an unfailing source of inspiration and kindness. For their various acts of generosity I owe a debt of gratitude to Mark Atherton, Alison Baxter, Julia Barrow, David Carpenter, the late Rees Davies, Ros Faith, George Garnett, John Gillingham, the late Ewen Green, Kate Hind, Jim Holt, Charles Insley, Peter Jackson, Shashi Jayakumar, Simon Keynes, Juliane Kerkeker, Chris Lewis, John Maddicott, Henry Mayr-Harting, Jinty Nelson, John Nightingale, Bruce O'Brien, Richard Sharpe, Alan Thacker, Matt Townend, Elizabeth Tyler, Mark Whittow and James Willoughby.

My greatest debts are to my mother, Brenda Baxter, and to my father, David Baxter, who has read and engaged with every part of this book throughout its long gestation. I could not have hoped for better intellectual companionship; and I could not be more grateful.

SDB

London

30 November 2005

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Abbreviations

<i>ANS</i>	<i>Anglo-Norman Studies</i> 1– (Woodbridge, 1979–)
<i>ASC</i>	<i>Anglo-Saxon Chronicle</i> (see Note on Systems of Reference)
<i>ASE</i>	<i>Anglo-Saxon England</i> 1– (Cambridge, 1972–)
<i>Asser</i>	<i>Asser's Life of King Alfred together with the Annals of St Neots</i> , ed. W. H. Stevenson, repr. with an introduction by D. Whitelock (Oxford, 1959)
<i>Æthelweard</i>	<i>The Chronicle of Æthelweard</i> , ed. A. Campbell, Nelson's Medieval Texts (London, 1962)
Barlow, <i>Edward</i>	F. Barlow, <i>Edward the Confessor</i> , 2nd edn (London, 1997)
Bates	<i>Regesta Regum Anglo-Normannorum: The Acta of William I (1066–1087)</i> , ed. D. Bates (Oxford, 1998)
Burton, ed. Sawyer	<i>The Charters of Burton Abbey</i> , ed. P. H. Sawyer, Anglo-Saxon Charters II, British Academy (Oxford, 1979)
<i>ECEE</i>	C. R. Hart, <i>The Early Charters of Eastern England</i> (Leicester, 1966)
<i>ECNE</i>	C. R. Hart, <i>The Early Charters of Northern England and the North Midlands</i> (Leicester, 1975)
<i>ECWM</i>	H. P. R. Finberg, <i>The Early Charters of the West Midlands</i> (Leicester, 1961)
<i>EEA 14</i>	<i>English Episcopal Acta 14. Coventry and Lichfield 1072–1159</i> , ed. M. J. Franklin (Oxford, 1997)
<i>EER</i>	<i>Encomium Emmae Reginae</i> , ed. A. Campbell, Camden Third Series 72 (London, 1949), repr. with supplementary introduction by S. Keynes (Cambridge, 1998)
EETS	Early English Text Society
<i>EHD i</i>	<i>English Historical Documents c. 500–1042</i> , ed. D. Whitelock, 2nd edn (London, 1979)
<i>EHD ii</i>	<i>English Historical Documents 1042–1189</i> , ed. D. C. Douglas and G. W. Greenaway, 2nd edn (London, 1981)

<i>EHR</i>	<i>English Historical Review</i> 1– (London, 1886–)
EPNS	English Place-Name Society
<i>Evesham</i>	Thomas of Marlborough, <i>History of the Abbey of Evesham</i> , ed. and trans. J. Sayers and L. Watkiss (Oxford, 2003)
Exon	Exon Domesday, <i>Libri Censualis Vocati Domesday Book Additamenta</i> , ed. H. Ellis, Record Commission (London, 1816)
Freeman, <i>NC</i>	E. A. Freeman, <i>The History of the Norman Conquest of England</i> , 6 vols., 3rd edn (Oxford, 1870–79)
GDB	Great Domesday Book (see Note on Systems of References)
<i>HC</i>	<i>Hemingi Chartularium Ecclesiae Wigorniensis</i> , ed. T. Hearne, 2 vols. (Oxford, 1723)
HH	Henry, archdeacon of Huntingdon, <i>Historia Anglorum</i> , ed. and trans. D. Greenway (Oxford, 1996)
<i>HReg</i>	The <i>Historia Regum</i> attributed to Symeon of Durham, in <i>Sym</i> , ii. 1–283
<i>HRH</i>	<i>The Heads of Religious Houses, England and Wales I, 940–1216</i> , ed. D. Knowles, C. N. L. Brooke, and V. C. M. London, 2nd edn with new material by C. N. L. Brooke (Cambridge, 2001)
<i>Hugh Candidus</i>	<i>The Chronicle of Hugh Candidus, a Monk of Peterborough</i> , ed. W. T. Mellows (Oxford, 1949)
<i>ICC</i>	<i>Inquisitio Comitatus Cantabrigiensis subicitur Inquisitio Eliensis</i> , ed. N. E. S. A. Hamilton (London, 1876), 1–96
<i>IE</i>	<i>Inquisitio Comitatus Cantabrigiensis subicitur Inquisitio Eliensis</i> , ed. N. E. S. A. Hamilton (London, 1876), 97–195
JW	<i>The Chronicle of John of Worcester</i> , ed. R. R. Darlington and P. McGurk, 3 vols. (Oxford, 1995–)
Keynes, <i>Atlas</i>	S. Keynes, <i>An Atlas of Attestations of Anglo-Saxon Charters</i> , c. 670–1066 (Cambridge, 1998)
Keynes, <i>Diplomas</i>	S. Keynes, <i>The Diplomas of King Æthelred ‘The Unready’ 978–1016</i> , Cambridge Studies in Medieval Life and Thought, 3rd series 13 (Cambridge, 1980)
LDB	Little Domesday Book (see Note on Systems of Reference)

<i>LDE</i>	Symeon of Durham, <i>Libellus de Exordio atque Procursu istius hoc est Dunhelmensis Ecclesie</i> , ed. and trans. D. Rollason (Oxford, 2000)
<i>LE</i>	<i>Liber Eliensis</i> , ed. E. O. Blake, Camden 3rd series 92 (London, 1962); translations cited from <i>Liber Eliensis: A History of the Isle of Ely from the Seventh Century to the Twelfth</i> , trans. J. Fairweather (Woodbridge, 2005)
<i>Letters of Lanfranc</i>	<i>The Letters of Lanfranc Archbishop of Canterbury</i> , ed. and trans. H. Clover and M. Gibson (Oxford, 1979)
<i>LibÆ</i>	The <i>Libellus quorundam insignium operum beati Æthelwoldi episcopi</i> , cited from <i>LE</i> , 395–9 and 72–117
Liebermann	<i>Die Gesetze der Angelsachsen</i> , ed. F. Liebermann, 3 vols. (Halle, 1903–1916) (see Note on Systems of Reference)
LS	P. Wormald, ‘A Handlist of Anglo-Saxon Lawsuits’, <i>ASE</i> 17 (1988), 247–81; repr. in Wormald, <i>LC</i> , 253–87 (cited by number)
Maitland, <i>DBB</i>	F. W. Maitland, <i>Domesday Book and Beyond. Three Essays in the Early History of England</i> , new edn with foreword by J. C. Holt (Cambridge, 1987)
MGH	Monumenta Germaniae Historica
<i>Monasticon</i>	W. Dugdale, <i>Monasticon Anglicanum</i> , ed. J. Caley, H. Ellis, and B. Bandinel, 6 vols. in 8 (London, 1817–30)
<i>ODNB</i>	<i>Oxford Dictionary of National Biography</i> , ed. H. C. G. Matthew and B. Harrison (Oxford, 2004), where necessary cited by page number from print-outs accessed from the online edition
OV	<i>The Ecclesiastical History of Orderic Vitalis</i> , ed. M. Chibnall, 6 vols. (Oxford, 1969–80)
<i>PASE</i> (2005)	<i>The Prosopography of Anglo-Saxon England</i> , directed by S. Keynes, J. Nelson, and H. Short and researched by A. Burghart, D. Pelteret and F. Tinti, currently published online at www.pase.ac.uk/
<i>Rams</i>	<i>Chronicon Abbatiae Ramesiensis</i> , ed. W. D. Macray, Rolls Series 83 (London, 1886)
RoASCh	<i>Anglo-Saxon Charters</i> , ed. and trans. A. J. Robertson (Cambridge, 1939)

- Roffe, *DIB* D. Roffe, *Domesday: The Inquest and the Book* (Oxford, 2000)
- RRAN *Regesta Regum Anglo-Normannorum*, vol. i, ed. H. W. C. Davis (Oxford, 1913); vol. ii, ed. C. Johnson and H. A. Cronne (Oxford, 1956); vols. iii and iv, ed. H. A. Cronne and R. H. C. Davis (Oxford, 1968)
- S Sawyer, *Anglo-Saxon Charters* (see Note on Systems of Reference)
- Stafford, *QE QE* P. Stafford, *Queen Emma and Queen Edith: Queenship and Women's Power in Eleventh-Century England* (Oxford, 1997)
- Stenton, *ASE* F. M. Stenton, *Anglo-Saxon England*, 3rd edn (Oxford, 1971)
- Sym *Symeonis Monachi Opera Omnia*, ed. T. Arnold, 2 vols., Rolls Series 75 (London, 1882–5)
- TRE *Tempore Regis Edwardi*
- TRHS *Transactions of the Royal Historical Society*
- TRW *Tempore Regis Willhelmi*
- VÆdR *Vita Ædwardi regis qui apud Westmonasterium requiescit*, ed. and trans. F. Barlow, *The Life of King Edward Who Rests at Westminster*, 2nd edn (Oxford, 1992)
- VCH The Victoria History of the Counties of England (London, 1900–)
- Vision, ed. Napier *The Vision of Earl Leofric*, ed. A. S. Napier, 'An Old English Vision of Leofric, Earl of Mercia', *Transactions of the Philological Society* (1907–10), 180–8
- von Feilitzen O. von Feilitzen, *The Pre-Conquest Personal Names of Domesday Book* (Uppsala, 1937)
- Williams, *ENC* A. Williams, *The English and the Norman Conquest* (Woodbridge, 1991)
- Wills *Anglo-Saxon Wills*, ed. and trans. D. Whitelock (Cambridge, 1930)
- WJ *The Gesta Normannorum Ducum of William of Jumièges, Orderic Vitalis, and Robert of Torigni*, ed. and trans. E. M. C. van Houts, 2 vols. (Oxford, 1992–5)
- WM, *GP* William of Malmesbury, *Gesta Pontificum Anglorum*, ed. and trans. M. Winterbottom, with the assistance of R. M. Thomson, 2 vols. (Oxford, 2007)

WM, <i>GR</i>	William of Malmesbury, <i>Gesta Regum Anglorum</i> , ed. and trans. R. A. B. Mynors, R. M. Thomson, and M. Winterbottom, 2 vols. (Oxford, 1998–9)
WM, <i>VW</i>	William of Malmesbury, <i>Vita Wulfstani</i> , ed. and trans. M. Winterbottom and R. M. Thompson in <i>William of Malmesbury: Saints' Lives</i> (Oxford, 2002), 7–156
Wormald, <i>MEL</i>	P. Wormald, <i>The Making of English Law: King Alfred to the Twelfth Century. Volume I, Legislation and its Limits</i> (Oxford, 1999)
Wormald, <i>LC</i>	P. Wormald, <i>Legal Culture in the Early Medieval West: Law as Text, Image and Experience</i> (London, 1999)
WP	<i>The Gesta Guillelmi of William of Poitiers</i> , ed. and trans. R. H. C. Davis and M. Chibnall (Oxford, 1998)
<i>Writs</i>	<i>Anglo-Saxon Writs</i> , ed. F. E. Harmer, 2nd edn (Stamford, 1989)

Note on Systems of Reference

Domesday Book is cited by folio and column number from *Great Domesday Book: Library Edition*, ed. A. Williams and R. W. H. Erskine, Alecto Historical Editions (London, 1986–1992), abbreviated as GDB; by folio number from *Little Domesday: Library Edition*, ed. A. Williams, Alecto Historical Editions (London, 2000), abbreviated as LDB (both now published on CD-ROM as *The Digital Domesday Book: The Scholar's Edition*, Alecto Historical Editions (London, 2002)); and by the numbering system used in *Domesday Book*, ed. J. Morris *et al.*, Phillimore, 34 vols. (Chichester, 1974–86).

Anglo-Saxon charters are cited by the number assigned to them in P. H. Sawyer, *Anglo-Saxon Charters: An Annotated List and Bibliography*, Royal Historical Society Guides and Handbooks 8 (London, 1968), revised edition, ed. S. E. Kelly, currently available online at www.trin.cam.ac.uk/chartwww, abbreviated as S.

The Anglo-Saxon Chronicle, abbreviated as ASC, is cited by manuscript following the conventional *sigla*, followed by the corrected annal numbers supplied in *The Anglo-Saxon Chronicle: A Revised Translation*, ed. D. Whitelock, D. C. Douglas, and S. I. Tucker (London, 1961). Translations are either taken from this edition, or from *The Anglo-Saxon Chronicles*, ed. and trans. M. Swanton, revised edn (London, 2000). The original text is cited from the multi-volume collaborative series for which D. Dumville and S. Keynes are the general editors: *The Anglo-Saxon Chronicle, a Collaborative Edition, Volume 3, MS. A: A Semi-Diplomatic Edition with Introduction and Indices*, ed. J. M. Bately (Cambridge, 1986); *The Anglo-Saxon Chronicle, a Collaborative Edition, Volume 5: MS. C, a Semi-Diplomatic Edition with Introduction and Indices*, ed. K. O'Brien O'Keeffe (Cambridge, 2001); *The Anglo-Saxon Chronicle, a Collaborative Edition, Volume 6: MS. D, a Semi-Diplomatic Edition with Introduction and Indices*, ed. G. P. Cubbin (Cambridge, 1996); *The Anglo-Saxon Chronicle, a Collaborative Edition, Volume 7: MS. E, a Semi-Diplomatic Edition with Indices and Notes*, ed. S. Irvine (Cambridge, 2004).

Anglo-Saxon and Anglo-Norman lawcodes are cited from *Die Gesetze der Angelsachsen*, ed. F. Liebermann, 3 vols. (Halle, 1903–1916), using the *sigla* and numbering system used in this edition; page numbers are given in parentheses.

1

Introduction

This book explores a paradox. In late Anglo-Saxon England, earls were extraordinarily wealthy and powerful, yet distinctly insecure. In 1054, Leofric, earl of Mercia and his son Ælfgar, then earl of East Anglia, between them controlled earldoms which covered most of England between the rivers Thames, Mersey, and Humber. This had not been the case two years earlier, in late 1052, when Ælfgar had been deprived of his recently acquired earldom; nor was it so four years later, in 1058, by which time Leofric had died and Ælfgar had been exiled. Such dramatic shifts in the fortunes of earls, and in the balance of power between them, were characteristic of the late Anglo-Saxon kingdom. The careers of earls are therefore of special interest for those concerned with the history of that kingdom on the eve of its demise.

Those careers must, in the main, be reconstructed from materials which reveal little of the inner lives of these men. But among the documentary evidence for Earl Leofric's career there is a unique witness. A late eleventh-century manuscript preserves the short text known as the *Vision of Earl Leofric*, which contains a vivid account of the earl's divine visions, experienced in reward for his deep piety. This is likely to have been composed shortly after the earl's death by someone who knew him well, and it encapsulates several of the phenomena which this book seeks to elucidate.¹

¹ A. S. Napier, 'An Old English Vision of Leofric, Earl of Mercia', *Transactions of the Philological Society* (1907–10), 180–8. The text is preserved in Cambridge, Corpus Christi College MS. 367, pt 2, fos. 48v–50v, and is written in a hand dated 's. xi²' by N. R. Ker, *Catalogue of Manuscripts Containing Anglo-Saxon*, 2nd edn, with supplement (Oxford, 1990), 110. A later hand has entered the Latin title, *Visio Leofrici*, from which the conventional title is derived. For discussion of the text see, most recently, P. Jackson, 'Osbert of Clare and the *Vision of Leofric*: The Transformation of an Old English Narrative', in *Latin Learning and English Lore: Studies in Anglo-Saxon Literature for Michael Lapidge*, ed. K. O'Brien O'Keeffe and A. Orchard (Toronto, 2005), 275–92; and P. A. Stokes, 'The *Vision of Leofric*: Manuscript, Text and Content', (forthcoming), which the author kindly allowed me to see before publication. For its provenance, see below, pp. 4, 154 n. 6.

The *Vision* in fact describes four visions and a prophecy. The first vision is an otherworldly encounter. In a half-sleeping state, ‘na eallinga swylce on swefne, ac gyt gewisslicor’ (‘not quite as in a dream, but still more certainly’), Earl Leofric is compelled to cross a narrow bridge high over raging water. He is afraid, but a voice assures him that he will be able to cross the bridge, and he soon finds himself on the other side. Leofric is then led by a guide into a beautiful, fragrant meadow where crowds of people are gathered ‘swylce on gangdagan’ (‘as on Rogation Day’), all clothed in snow-white garments like those worn by priests when reading the Gospel. Here, Leofric sees a person towering above the rest of the crowd: his guide informs him that this is St Paul blessing the people after mass. Leofric is then led onwards towards six venerable men, one of whom asks: ‘Hwæt sceoll þæs fula mann on ure færræddene?’ (‘What is this foul man doing in our company?’) Another defends Leofric: ‘He mot beon mid us’ (‘He may be with us’), for he has been newly baptized through penitence, and ‘he cymð to us on þære þriddan gebyrtide’ (‘he will come to us on the third *gebyrtid*’).²

The other visions occur in earthly contexts. We are told that, while Leofric can be convivial ‘mid gebeorum’ (‘with drinking companions’), he prefers to drink very little, and to pray earnestly in secret once his men have gone to sleep. One evening, when he is with the king at Christ Church, Canterbury, he arranges for the sacristan to unlock the door to the church for him; but when Leofric arrives at the appointed time the sacristan is in a drunken slumber and cannot be roused, and Leofric is forced to pray in the porch. At his prayer, ‘seo duru færingga geopenad, 7 he þa sona in eode, 7 hine to his Drihtene gebæd up ahafenum earmum’ (‘the door suddenly opened, and he at once went in, and prayed to his Lord with uplifted arms’). Leofric is accompanied by a light-bearer who, frightened by this, retreats into a corner. Then he (either Leofric or the servant) sees with absolute certainty (‘full gewisslice’) that Leofric is standing in the middle of the floor

² *Vision*, lines 1–23. The precise meaning of *gebyrtid* (literally, ‘time of birth’) is unclear in this context. M. McC. Gatch, ‘Piety and Liturgy in the Old English *Vision of Leofric*’, in *Words, Texts and Manuscripts: Studies in Anglo-Saxon Culture presented to Helmut Gneuss on the Occasion of his Sixty-Fifth Birthday*, ed. M. Korhammer (Cambridge, 1992), 159–79 at 170, observes that the term can mean ‘birthday’, but more often denotes the birth of Christ or the ‘birth’ of saints into eternal life, marked by their feast days. Another attractive possibility, pointed out to me by Professor Janet Nelson (pers. comm.), is that *gebyrtid* could here mean the third anniversary of the vision itself—with the implication that Leofric is foreseeing the date of his own death here, as he does at the end of the *Vision*. As she remarks, ‘there is just a shade of saint-making here’.

with outstretched arms, clothed in a bright-shining green mass-vestment, and ‘he þæs swyðe wundrode’ (‘he was much astonished thereat’).³

The next vision occurs in the same place. Leofric goes to the church with his three *cnápan* (servants) and prays in his customary place—as close as he can get to St Dunstan’s tomb. Two of the servants fall asleep, but a third stays awake with apprehension. Then he (presumably Leofric) suddenly hears a violent noise like the sound of tumbling furniture. The noise persists and grows more violent; and when it eventually subsides, a powerful light begins to shine through the east end of the church ‘swylce niwe mona arise’ (‘as if a new moon were rising’), casting a beam of light under the right arm of a cross standing on top of the altar. The longer it shines the brighter it becomes, and is eventually so powerful that it illuminates the entire church, forcing Leofric to look away. The frightened servant serves as a witness to this event.⁴

The final vision is set not long afterwards, when the king’s fleet was stationed at Sandwich. Leofric decides to hear mass at St Clement’s church with the king. When he enters the church, the king is standing on the south side of the sanctuary, and room is made for Leofric on the north side. In the north-east corner of the church, ‘án medmycel ród’ (‘a moderately-sized cross’) rests on the ground behind the altar, mostly concealed from view by a thickly woven curtain. Then, as the priest is saying mass close to the cross, Leofric sees a hand raised in blessing above the cross and, gazing in astonishment, he sees the whole of the cross as clearly as if the curtain were no longer there. Leofric is afraid and begins to doubt what he is seeing, but the image of the hand then becomes more fleshy, distinct, and indisputably real. Eventually, Leofric dares not look at it any longer and bows his head, whereupon the hand ceases its blessing.⁵

The text concludes by saying that Leofric predicted the date of his death:

Feowertyne nihton ær his forðsiðe he foresæde þonne dæg þe he sceolde cuman to Cofantreo to his langan hame, þær he on restet. 7 hit aeode eall swa he sæde. Requiescat in pace.

³ *Vision*, lines 24–40. Cf. Odo of Cluny, *De Vita Sancti Geraldi Auriliacensis Comititis*, *Patrologia Latina*, 133, cols. 662–3, where a servant shares in his lord’s vision (I am grateful to Professor Nelson for this reference).

⁴ *Vision*, lines 41–61.

⁵ *Vision*, lines 62–88. In the late 1130s, Westminster monks, who were attempting to secure the canonization of Edward the Confessor, appropriated this vision by relocating it to Holy Trinity, Westminster, and making Edward the recipient of Christ’s blessing: see Jackson, ‘Osbert of Clare and the *Vision of Leofric*’, 277–8.

[A fortnight before his death he foretold the day on which he should come to Coventry to his long home, where he rests; and it happened just as he said. May he rest in peace.]⁶

Although the provenance of this text cannot be fixed with absolute certainty, the last sentence hints that it may have been written at Coventry, a Benedictine abbey which Leofric founded and chose as his burial place; and its interest in liturgy suggests that it could have been composed by one of Leofric's household priests.⁷ If so, the *Vision* takes us to the heart of the earl's social and spiritual world; and it is not surprising, therefore, that it should raise questions which preoccupy this book. Who was Earl Leofric? What events defined his career, and how might he be judged? The *Vision* specifically locates Leofric 'with the king' on three occasions: how did he function at the heart of English government and politics? The text stresses the earl's piety, and so raises the question as to how Leofric's religious devotion found expression in his own earldom. When and why did he found Coventry, and in what sense was it his home? What did he and his family gain from this and other acts of religious patronage? Leofric's retainers (*gebeorum*) and servants (*cnápan*), remain anonymous in the *Vision*, but can any of them be identified elsewhere, and what is known as to what bound them to their lord?

Finally, the *Vision* is remarkably suggestive of the paradoxes which shaped the earl's life. Leofric is depicted as possessing special access to the divine, even surpassing that of the king. But these miraculous events are vividly terrifying, both to him and his followers; they are overwhelming in their force, and their meanings are partially obscure. Such violent marks of heavenly attention are powerful warnings demanding humility, as much as they are encouragements of grace. Given such ambivalent access to the numinous, a strange vulnerability lies at the heart of Leofric's hope of salvation, just as it shadowed the fortunes of his earthly life.

THE LITERATURE AS IT STANDS

One reason why it took so long for the pre-Conquest aristocracy to receive scholarly attention in the twentieth century is that the topic was

⁶ *Vision*, lines 89–91.

⁷ See further below, p. 154. n. 6.

treated so brilliantly by E. A. Freeman in the nineteenth. His *History of the Norman Conquest* is an infuriating mix of prejudice and erudition. Some of his analysis is branded with a kind of patriotic chauvinism which can stick in the modern reader's gullet. Thus, for Freeman, the reign of Edward the Confessor was 'a period of struggle between natives and foreigners for dominion in England'.⁸ His villains were King Edward's 'foreign favourites', and his heroes were earls who put up patriotic resistance: Godwine 'the great champion of England against Norman influence', and Harold 'the hero and martyr of our native freedom'.⁹ This shaped Freeman's view of the earls of Mercia: since they were rivals of the house of Godwine, he regarded them as 'traitors' to the 'patriotic cause'.¹⁰ Earl Leofric was an exception. Freeman described him as 'the honoured mediator between opposing races and opposing interests', and argued:

All that we know of the good old Earl of the Mercians leads us to look on him as a man who was quite capable of sacrificing the interests and passions of himself or his family to the general welfare of his country.¹¹

However, Leofric's sons and grandsons were little better than Ealdorman Eadric 'Streona'—an 'evil genius' and 'arch-traitor' who had brought shame upon 'the post once held by the glorious daughter of Ælfred' with a 'catalogue of treason' during the Viking wars.¹² Ælfgar, Eadwine, and Morcar were almost as bad:

We hear of Ælfgar and his sons mainly as rebels in whom no trust can be placed, as traitors to every King and to every cause, as men who never scrupled to call in the aid of any foreign enemy to promote their personal objects.¹³

Indeed, Eadwine, 'the last Mercian Earl, was no unworthy representative of his predecessor Eadric', for he perpetrated 'a series of treasons ... against four sovereigns in succession', and he and his brother Morcar were forever dreaming of 'dividing the kingdom'.¹⁴ But for all his faults, Freeman had an extraordinary command of the sources—especially the narrative sources. This is most clearly evident in the appendices to the *History of the Norman Conquest*, which are indeed 'replete with buried treasure'.¹⁵ To choose one example from many: his note concerning the 'great earldoms of the reign of Eadward'

⁸ Freeman, *NC*, ii. 30.

⁹ *Ibid.*, i. 408; ii. 37.

¹⁰ *Ibid.*, ii. 363–4, 492.

¹¹ *Ibid.*, ii. 409, 423.

¹² *Ibid.*, i. 326, 334, 416.

¹³ *Ibid.*, ii. 363–4.

¹⁴ *Ibid.*, ii. 492–3.

¹⁵ I quote from an undergraduate reading list issued by George Garnett.

needs to be updated and refined, but it still constitutes a brilliant demonstration of the crucial fact that late Anglo-Saxon earldoms could be, and often were, restructured quite radically at the command of the king and his counsellors.¹⁶

The post-Freeman era was dominated by John Horace Round and his legacy. Round's work is shot through with relentless criticism of 'Mr Freeman'.¹⁷ It seems to have infuriated Round that Freeman's reputation and authority remained undiminished despite his unrelenting efforts to expose them; and when Round published *Feudal England* in 1895, he was determined to put this right. The index of *Feudal England* famously contains an entry for Freeman, which refers to

his contemptuous criticism ... his assumptions ... his pedantry ... his misconstrued Latin ... imagined facts ... his guesses ... his confused views ... his dramatic tendency ... his special weakness ... his Domesday errors and confusion ... his wild dream ... [and hence] the necessity of criticising his work.¹⁸

The last of these entries refers to the introduction where Round made his intentions explicit.

Without in any way disparaging the genius of that eminent man, one may deem it a duty to correct the errors into which he fell, and conscientiously to combat, as an obstinate and mischievous superstition, the conviction of his pre-eminent accuracy and authority on matters of fact.¹⁹

Round did not specifically attack Freeman's treatment of the pre-Conquest aristocracy, but his critique was so forceful and influential that this subject became unfashionable for a long time after 1895. When Frederic William Maitland published *Domesday Book and Beyond* two years later, he devoted just two pages to pre-Conquest earls—though to be fair, these pages contain some far-reaching observations on the 'earl's third penny' and 'comital manors'.²⁰ Paul Vinogradoff's *English Society in the Eleventh Century*, which was dedicated to Maitland's memory, virtually ignores pre-Conquest earls.²¹ With the exception of Hector Munro Chadwick, who wrote a valuable chapter on ealdormen

¹⁶ Freeman, *NC*, ii. 571–85 (Note G); below, Chapter 3.

¹⁷ Round's publications are conveniently listed by W. R. Powell, 'A Revised Bibliography of the Publications of John Horace Round', *Essex Archaeology and History* 29 (1998), 155–82.

¹⁸ J. H. Round, *Feudal England: Historical Studies on the Eleventh and Twelfth Centuries* (London, 1895), 580–1.

¹⁹ Round, *Feudal England*, p. x.

²⁰ Maitland, *DBB*, 95, 168, and 68 n. 5.

²¹ P. Vinogradoff, *English Society in the Eleventh Century* (Oxford, 1908).

and earls in his *Studies on Anglo-Saxon Institutions*,²² knowledge of the late Anglo-Saxon aristocracy hardly progressed until Frank Stenton published *Anglo-Saxon England* in 1943. This contains a wonderfully judicious account of politics during the reign of Edward the Confessor. It also contains some pithy observations on ealdormen and earls and the nature of their office. However, Stenton may have underestimated the administrative functions of earls when he wrote:

early sources, which tell something of the earl's revenues and prove his importance in the public life of his district, reveal very little about his specific powers. Their vagueness on this matter is one among a number of indications that his essential functions were not administrative, but political. His fundamental duty was to act as the king's representative in the region under his control.²³

No one would doubt the essential truth contained in the last of these three sentences. It was brilliantly developed by Dorothy Whitelock (who was taught by Chadwick, and became one of Stenton's disciples).²⁴ But the first two sentences are inadmissible. There is much more evidence than Stenton implied, and as Chapter 3 shows, its cumulative effect is to establish that earls were heavily occupied with administrative functions within their earldoms.

A paper read by Ann Williams at the Battle Conference in 1980 began a reappraisal of late Anglo-Saxon nobility.²⁵ This was the first systematic attempt to explore the relationship between land, lordship, and power in late Anglo-Saxon England: it attempted to quantify the Domesday estates of Harold Godwineson, illustrated the variety of ways in which they were acquired, and showed that Harold's power 'did not rest simply on the possession of land, but upon the network of patronage and influence which such possessions enabled him to exercise'.²⁶ 'Land

²² H. M. Chadwick, *Studies on Anglo-Saxon Institutions* (Cambridge, 1905), 161–97.

²³ F. M. Stenton, *Anglo-Saxon England*, 3rd edn (Oxford, 1971), 545–80 at 548.

²⁴ D. Whitelock, 'The Dealings of the Kings of England with Northumbria in the Tenth and Eleventh Centuries', *The Anglo-Saxons: Studies in some Aspects of their History and Culture presented to Bruce Dickens*, ed. P. Clemoes (London, 1959), 70–88. For her career, see S. Keynes, 'Whitelock, Dorothy (1901–1982)', in *ODNB*.

²⁵ A. Williams, 'Land and Power in the Eleventh Century: the Estates of Harold Godwineson', *ANS* 3 (1981), 171–87, 230–34. Elsewhere, Williams acknowledges 'a particular debt to E. A. Freeman, the pages of whose *History of the Norman Conquest* provide unfailing aid and counsel': Williams, *ENC*, p. ix. In writing 'Land and Power', Williams was building on important work on the English nobility in the tenth century, in particular the approach suggested by C. Hart, 'Athelstan "Half-King" and his Family', *ASE* 2 (1973), 115–24 (repr. in his *The Danelaw* (London, 1992), 569–604).

²⁶ Williams, 'Land and Power', 177.

and Power' was read in the same year as the publication of Simon Keynes' *Diplomas of King Æthelred 'The Unready'*, a pioneering study which demonstrated how charter evidence can be used to illuminate court politics. These two studies revived interest in the pre-Conquest aristocracy, and provided the foundation for what has become a substantial body of research: the published works of Frank Barlow, Peter Clarke, Nicholas Brooks, Robin Fleming, Cyril Hart, Charles Insley, Simon Keynes, Chris Lewis, Peter Sawyer, Pauline Stafford, Andrew Wareham, Ann Williams, Patrick Wormald, and Barbara Yorke; the regrettably unpublished thesis by the late Nicholas Banton; the contributions to the *Oxford Dictionary of National Biography* made by these and other hands; and, most recently, the publication of a comprehensive *Prosopography of Anglo-Saxon England* online.²⁷

This work, taken together with the literature on late Anglo-Saxon government, land tenure, religious patronage and lordship, constitutes the foundation for a study of the earls of Mercia. However, it also provides points of departure, for some major gaps have been left unfilled, and some important conclusions stand in need of refinement and, in some cases, refutation.

THE SHAPE OF THE ARGUMENT

Chapter 1 describes careers of Ealdorman Leofwine and his family (otherwise, 'the Leofwinesons' or 'the house of Leofwine').²⁸ This is an essential preliminary, for although some important studies of the Leofwinesons exist,²⁹ this family has not received anything like the attention that has been lavished on the family of Earl Godwine.³⁰ This

²⁷ See the Select Bibliography.

²⁸ These labels are used throughout for convenience, though it should be noted that both are, strictly speaking, anachronistic. Although some individuals were differentiated from their namesakes using bynames in late Anglo-Saxon England, family names were rarely used: see, most recently, C. Clarke, 'Onomastics', in *The Cambridge History of the English Language, Vol. II: 1066–1476*, ed. N. Blake (Cambridge, 1992), 542–606 esp. 551–4.

²⁹ J. Hunt, 'Piety, Prestige or Politics? The House of Leofric and the Foundation and Patronage of Coventry Priory', in *Coventry's First Cathedral: The Cathedral and Priory of St Mary*, ed. G. Demidowicz (Stamford, 1994), 97–117; K. L. Maund, 'The Welsh Alliances of Earl Ælfgar of Mercia and his Family in the Mid-Eleventh Century', *ANS* 11 (1989), 181–90; Williams, *ENC*, 45–55, and her entries on earls Leofric, Ælfgar, Eadwine and Lady Godiva in *ODNB*.

³⁰ These include four monographs in the last decade: I. W. Walker, *Harold: The Last Anglo-Saxon King* (Stroud, 1997); Stafford, *QEQE*; F. Barlow, *The Godwins: The Rise*

is understandable: Godwine and his children had a profound impact on the course of English history. But it would be a mistake to focus on that family to the exclusion of others. To understand any nobility, one must try to see how it functioned as a whole. Here an observation of K. B. McFarlane's comes to mind:

Some of their number were as wise as the wisest of kings; and they might hope to lead or influence their fellows. The baronage *as a whole* had something which a succession of individual kings might lack; something which made for moderation, balance... The vagaries of the personal monarchy were to some extent counterbalanced by the existence of hereditary councillors—who preserved the means to impose their will, but only if they carried the will of the people with them.³¹

McFarlane intended these remarks to apply to England's late medieval nobility, but they are readily applicable here. In a brief obituary notice, a near-contemporary annalist remarked that Earl Leofric was 'swiðe wis' ('exceedingly wise').³² That he could lead and influence the English nobility is readily demonstrable: in the succession crisis of 1035 he led a faction which comprised 'mæst ealle þa þegenas be norðan Temese' ('almost all the thegns north of the Thames').³³ The earls of Mercia could be precisely the kind of balancing force in the eleventh-century polity that McFarlane identified as significant in the fifteenth. As Freeman observed, Earl Leofric assumed the role of 'mediator between two extreme parties which was laid upon him by the geographical position of his earldom'.³⁴ These points have a wider bearing. A common flaw in English historiography is its tendency to blame the king's wicked advisers for all the nation's misfortunes. This is symptomatic of a wider royalist tendency in English historical thought, which is perhaps itself a function of the influence of Marlow and Shakespeare on English historical identity. But the nobility was not a purely malignant element in the Old English polity; it had dynamic and creative qualities; and although rent with rivalries, it was an essential unifying element in the early English kingdom—one which could bring consensus and cohesion to its government. All this makes it crucial to elucidate the careers of other noble families besides that of the house of Godwine.

and Fall of a Noble Dynasty (London, 2002); and E. Mason, *The House of Godwine: The History of a Dynasty* (London, 2003).

³¹ K. B. McFarlane, *The Nobility of Later Medieval England* (Oxford, 1973), pp. xxxi–xxxii.

³² ASC D s.a. 1057; MS D, ed. Cubbin, 75.

³³ ASC E s.a. 1035; MS E, ed. Irvine, 76.

³⁴ Freeman, NC, ii. 50.

Another reason for beginning with a prosopographical sketch is that it serves to establish a salient fact about the house of Leofwine: it was a family of survivors. Leofwine and his descendents were unique in retaining power between the 990s and 1070s. They successfully negotiated several major crises during this period: the factional politics and political bloodletting of Æthelred's reign (978–1016); the Viking wars and the Danish conquests of 1013 and 1016; the intrusion of Scandinavian earls into Mercia during the reign of Cnut (1016–35); the succession crises of 1035, 1040 and 1042; the rise, decline, and resurgence of the house of Godwine during the reign of Edward the Confessor (1042–66); the outlawry and return of Earl Ælfgar in 1055 and 1058; even the campaigns of 1066. This survival story poses a basic question which occupies the remainder of the book: what accounts for the Leofwinesons' political longevity? One straightforward answer, explored in Chapter 2, is that the Leofwinesons benefited from some astute political manoeuvring, and enjoyed their share of good fortune. However, there is much more to their survival than this: deeper, structural explanations must be explored.

The subsequent four chapters examine the nature and limits of the powers exercised by Leofwine and his sons as royal officials in late Anglo-Saxon England. In doing so, they engage with, and seek partly to reconcile, two divergent strands in recent work on the medieval state. There is on the one hand a considerable, and formidable, body of research which stresses the power of late Anglo-Saxon government, and the efficacy of the institutional framework it created: a network of burhs, shires, hundreds, tithing groups, elaborate systems of administration based on the hide, and a thickly populated and highly motivated hierarchy of royal officials. These combined to facilitate some remarkable feats of government, including the creation of a network of planned fortress towns; a sophisticated and closely controlled system of coinage; an oppressively effective system of taxation; and significant contributions to the making of English law, including the implementation of radical new approaches to the pursuit of crime.³⁵ On the other hand, there is now a growing body of work which is beginning to question the importance of centralized, institutional expressions of power; which prefers to place

³⁵ To single out two articles which articulate this view with special force: J. Campbell, 'The Late Anglo-Saxon State: A Maximum View', *Proceedings of the British Academy* 87 (1994), 39–65; repr. in his *Anglo-Saxon State*, 1–30; and P. Wormald, 'Fredrick William Maitland and the Earliest English Law', *Law and History Review* 16 (1998), 1–25; repr. in Wormald, *LC*, 45–69.

emphasis on locally based and socially negotiated power structures; and which contends that royal authority needed to mobilize the power vested in deeply rooted groups in the localities—networks held together by ties of lordship, kinship, community, and religious affiliation—in order to be effective. ‘Rather than searching for institutions, we need to study the generation and transmission of power’.

In the localities we meet forms of political leadership which were inherently personal, resting on one-to-one obligation and the recognition of transcendent moral qualities. Power, deeply unequal in its distribution within a profoundly hierarchical society, rested in reciprocity. It depended on informal channels of moral obligation and social pressure, not constitutional positions. In such a world, power could only be negotiated and shared.³⁶

These observations are taken from a study of the middle Rhine Valley in the early middle ages, but they raise problems of interpretation which historians of eleventh-century England need urgently to address. These have recently been taken up. They inform a recently published critique of the ‘maximum view’ of the late Anglo-Saxon state as applied to regulation of feud;³⁷ and a seminal paper by Rees Davies, which develops a case for substituting the term ‘lordship’ for that of ‘state’ on the grounds that the latter term has become loaded with assumptions that may ‘confine and even distort our understanding of past societies’, and which argues that, ‘Since politics and governance were of necessity woven into the texture of local social relationships, it is crucial to locate power in its social and ideological context.’³⁸

This book explores ways of reconciling these schools of thought. It seeks to avoid the sort of false dichotomies which can arise if terms such as ‘state’ and ‘lordship’, ‘public’ and ‘private’, ‘central’ or ‘local’, and worst of all ‘top-down’ and ‘bottom-up’ are applied as if polar opposites. Instead, it seeks to explore the relationship *between* formal power structures (a term I use broadly to refer to the institutional apparatus through which royal authority was mediated), and informal power structures (a term I use to denote networks held together through social

³⁶ M. Innes, *State and Society in the Early Middle Ages: The Middle Rhine Valley, 400–1000* (Cambridge, 2000), 9–10. A similar view of medieval government is articulated by G. Althoff, *Verwandte, Freunde und Getreue: Zum Politischen Stellenwert der Gruppenbindungen im Früheren Mittelalter* (Darmstadt, 1990), trans. C. Carroll, *Family, Friends and Followers: Political and Social Bonds in Medieval Europe* (Cambridge, 2004).

³⁷ P. R. Hyams, *Rancor and Reconciliation in Medieval England* (Ithaca, 2003), 71–110.

³⁸ R. Davies, ‘The Medieval State: The Tyranny of a Concept?’, *Journal of Historical Sociology* 16 (2003), 280–300, at 296.

ties—lordship, kinship, community, religious affiliation). It argues that these were not necessarily at odds in late Anglo-Saxon England. Rather were they intimately connected: indeed, the power of the late Anglo-Saxon government is partly, perhaps even mainly, explicable on the grounds that it successfully integrated social bonds into its institutional machinery. The modalities of English government ran with, not against, the grain of the political and cultural instincts and interests of its landholding elite.

These propositions are developed in four related chapters, which combine to explore the paradox with which we began: the earls of Mercia, like all of their peers, were exceptionally powerful and decidedly insecure. Chapter 3 argues that earls were powerful agents of a powerful regime: they were among the king's most influential advisers; they mobilized and led armies; and, because they had sufficient clout to get things done in the shires, they played a significant role in royal administration. It also argues, however, that there were distinct limits to the powers of earls. Several late Anglo-Saxon earls were exiled and some were executed. Sheriffs were able to discharge many of the duties of earls, and royal administration could function perfectly well in their absence. Earls did not strike coin in their own names and they rarely issued charters. They did not have hereditary titles, and their power was not maintained through castles. They enjoyed a share, but not a monopoly, of regalian dues, and they regularly attended the king's court. In addition, and perhaps most striking of all, the size and structure of late Anglo-Saxon earldoms was unstable, being subject to rapid and radical change at the will of the king and his counsellors. In short, earls never enjoyed a monopoly over the kingdom's formal power structures; nor were they able to undermine them, or replace them with informal power structures of their own. In these respects, the experiences of late Anglo-Saxon earls were strikingly different from that of their continental counterparts, the dukes and counts of post-Carolingian Francia.

A related point is developed in Chapter 4: the tenurial resources of the earls of Mercia were considerable but precarious. This chapter engages with, and seeks to modify, one of the central premises of Robin Fleming's influential book, *Kings and Lords in Conquest England*: namely, that Edward the Confessor's England was fatally destabilized by over-mighty subjects—in particular the house of Godwine, which held more land

than King Edward.³⁹ There are two major difficulties with this thesis. First, as the statistical analysis set out in this chapter shows, there is simply no foundation to the proposition that the house of Godwine controlled more land than the king. Second, it is also possible to show that King Edward enjoyed considerable tenurial leverage over his earls, for a significant proportion—indeed, perhaps the overwhelming majority—of earls' estates were loaned to them by the king on a temporary, and revocable, basis for the duration of their period in office. Two considerations make this as good as certain: Domesday proves that there was a quantum difference between the wealth of earls and the rest of the English aristocracy; and the speed and frequency with which the structure of English earldoms changed during King Edward's reign is most readily comprehensible if it is assumed that 'comital manors' in each shire could be transferred by the king from one earl to another with relative ease. This was a powerful system of royal patronage. It also unleashed political forces which proved difficult to control, for it fuelled intense rivalries, both at the king's court, where factional groups competed for the benefits of royal favour, and in the localities, where the same groups competed for dominance of formal and informal power structures. As Patrick Wormald writes: 'The crucial fact of late Anglo-Saxon politics is that it was factional. There was intense competition for central power and its local benefits.'⁴⁰ Since they were exploited by invading forces in 1066, these factional divisions contributed to the demise of the late Anglo-Saxon kingdom. However, it was not so much the king's tenurial inferiority and weakness as his tenurial superiority and strength which exacerbated these divisions.

Chapters 3 and 4 thus demonstrate that the powers of earls were considerable but vulnerable; Chapters 5 and 6 describe how the Leofwinesons sought to compensate for their insecurities by using informal power structures to complement and reinforce the formal, *ex officio* powers vested in them as earls.

Chapter 5 explores the relationships between the Leofwinesons and the minsters of Mercia. In doing so, it builds upon a growing literature

³⁹ R. Fleming, *Kings and Lords in Conquest England* (Cambridge, 1991), 53–103, esp. 102–3.

⁴⁰ P. Wormald, 'Engla Lond: The Making of an Allegiance', *Journal of Historical Sociology* 7 (1994), 1–24; repr. in Wormald, *LC*, 359–82 at 366.

on lay piety and religious patronage in late Anglo-Saxon England.⁴¹ It also takes directions from recent work on the relationships between the lay nobility and religious houses in Francia and Lotharingia, which have stressed how monasteries functioned as focal points of lordship and allegiance in the localities.⁴² Religious houses were relatively stable centres of power in a world where secular lordship was often volatile and ephemeral; many of them were richly endowed and therefore constituted powerful lordships in their own right; and their spiritual and social functions made them natural focal points for local identity and allegiance. In these respects, English monasteries shared similar characteristics to their continental counterparts, and this helps to explain why the Leofwinesons appear to have been assiduous in cultivating connections with a large number of religious houses in Mercia. The family was responsible for the foundation of Coventry and for the endowment of several other Merician monasteries including Crowland, Evesham, Worcester, Leominster, Much Wenlock, St John's Chester, and St Wærburgh's, Chester, and Worcester. In addition, Earl Leofric's nephew and namesake was abbot of Peterborough, and exercised authority over a small empire of Midland monasteries including Burton, Coventry, and Crowland and Thorney; and Leofwine, bishop of Lichfield, was the son of one of Earl Leofric's richest retainers. There is no need to doubt that most of these connections were the product of genuine, if conventional, piety—of the urgent need to find ways of alleviating the kind of spiritual uncertainty and anxiety manifest in the *Vision of Earl Leofric*. However, it is also plain that the Leofwinesons exploited religious patronage as a means of offsetting insecurity and vulnerability in this world as well as the next: it enabled them to create more meaningful ties with local networks as a way of protecting and augmenting their power.

The Leofwinesons' power was also underpinned by an extensive network of secular lordship, which enabled them to cultivate support at every level of landholding, political communities in the Midlands and the north. Chapter 6 reconstructs this network. It is partly inspired

⁴¹ See, most recently, A. Williams, 'Thegnly Piety and Ecclesiastical Patronage in the Late Old English Kingdom', *ANS* 24 (2002), 1–24; J. Blair, *The Church in Anglo-Saxon Society* (Oxford, 2005).

⁴² See, for example, B. H. Rosenwein, *To be a Neighbour of St Peter: The Social Meaning of Cluny's Property 909–1049* (Ithaca and London, 1989); R. Le Jan, *Famille et pouvoir dans le monde franc (VII^e–X^e siècle): Essai d'anthropologie sociale* (Paris, 1995), esp. 48–52, 394–8, 424–6; J. Nightingale, *Monasteries and Patrons in the Gorze Reform: Lotharingia c. 850–1000* (Oxford, 2001).

by some classic studies of continental lordships.⁴³ It is also draws inspiration from Susan Reynolds: in particular, her insistence that we should abandon the use of anachronistic labels and constructs in favour of precise engagement with the medieval evidence on the nature of lordship, and with the words, concepts and phenomena it reveals.⁴⁴ However, the chapter's principal interlocutor is Maitland. *Domesday Book and Beyond* is an unsurpassed masterpiece of historical literature, but its analysis of pre-Conquest lordship contains serious flaws which need now to be demonstrated. This chapter deploys a new method for analysing the representation of lordship and tenure in Domesday Book, and uses this to reinterpret the formulae which describe the Leofwinesons' lordships in each of the five Domesday circuits north of the Thames. It argues, *inter alia*, that Maitland was wrong about the fragility of commendation as a social bond. 'Mere commendation' is a misleading translation of 'commendatio tantum' and other related expressions, which were used by one group of Domesday commissioners (those of circuit VII) to differentiate between commendatory lordship and soke, a form of lordship which entitled lords to collect judicial fines and forfeitures. Similarly, the formulae used by another group of commissioners (those of circuit III) do not indicate that men were free to sever the bonds of commendation at will as Maitland thought; rather, these formulae were intended to articulate the distinction between commendatory lordship and dependent land tenure. These distinctions were important in 1086 because they had a bearing on title to property: it was this, not the quality of pre-Conquest lordship, which concerned the Domesday commissioners. The point is crucial, because commendation was one of the adhesives which held late Anglo-Saxon society together. It also enabled the Leofwinesons to construct an extensive and broadly based network of household officials, retainers and political allies; and it was above all this which empowered the Leofwinesons, and enabled

⁴³ M. Bloch, *La Société féodale* (Paris, 1939), trans. L. A. Manyon as *Feudal Society* (London, 1962); O. Brunner, *Land und Herrschaft: Grundfragen der territorialen Verfassungsgeschichte Österreichs im Mittelalter* (Vienna, 1939), revised edn (Vienna, 1965), trans. H. Kaminsky and J. Meltor as *Land and Lordship: Structures of Government in Medieval Austria* (Philadelphia, 1992); G. Duby, *La société aux XI^e et XII^e siècles dans la région mâconnaise* (Paris, 1953); R. Boutruche, *Seigneurie et Feodalité*, 2 vols. (Paris, 1959–1970); O. Guillot, *Le compte d'Anjou et son entourage au XI^e siècle*, 2 vols. (Paris, 1972); P. Bonnassie, *La Catalogne du milieu du X^e siècle à la fin du XI^e siècle: croissance et mutations d'une société* (Toulouse, 1975); D. Barthélemy, *La société dans le comté de Vendôme de l'an mil au XIV^e siècle* (Paris, 1993).

⁴⁴ S. Reynolds, *Fiefs and Vassals: The Medieval Evidence Reinterpreted* (Oxford, 1994).

them to survive the vicissitudes of English politics between 994 and 1066.

The last chapter concludes the prosopographical analysis of the house of Leofwine by describing the sequence of events which led to the fall of Eadwine and Morcar in the aftermath of the Norman Conquest. It also concludes the discussion of power structures and political patterns, arriving at the book's principal conclusions from a different direction. It traces the gradual destruction of the Leofwinesons' power and influence as each of the forces from which this had been derived hitherto were removed: a mirror image of the pattern by which the family's power had been constructed. The Leofwinesons held on to comital power for longer than any of their peers. They did so by augmenting and protecting the powers vested in them as agents of royal government, principally by constructing local networks of land, patronage and lordship; but these networks were subjected to extraordinary pressures between 1066 and 1071, and eventually collapsed; and the moment they did so, the house of Leofwine fell.

2

The Identity of the House of Leofwine

Ealdorman Leofwine and his descendants achieved something unique in English politics between the Viking Wars and the Norman Conquest: they held on to power. Ealdorman Leofwine was appointed in 994, three years after the Battle of Maldon; his great-grandsons, Eadwine and Morcar, fell from power in 1071, five years after the Battle of Hastings. With the exception of a brief interlude in the mid 1020s, Leofwine and his descendants retained control of one or more earldoms in the Midlands throughout the intervening period, through four generations under nine kings representing four different royal dynasties. No other comital house proved able to cling on to power this long; their nearest rivals in this respect (as in many others) was the house of Godwine, which retained power between about 1016 and 1066. The object of this book is to explain the Leofwinesons' success; and the present chapter establishes a prosopographical framework around which an explanation can be constructed. It identifies the earls of Mercia and other members of their family, and sketches the main political developments which affected their careers. In doing so, it offers a fresh perspective from which to consider the course of English politics between the reigns of Æthelred 'the Unready' and Edward 'the Confessor'.

EALDORMAN LEOFWINE

Ealdorman Leofwine can be identified as the 'Leofuinus Alderman filius Elfuine' who gave land in Huntingdonshire to Peterborough Abbey.¹ It is impossible to establish the identity of his father, Ælfwine, with any

¹ *Hugh Candidus*, 68. For Ealdorman Leofwine, see Freeman, *NC*, i, 418, 738–40; *The Crawford Collection of Early Charters*, ed. A. S. Napier and W. H. Stevenson, *Anecdota Oxoniensia*, Medieval and Modern Series 7 (Oxford, 1895), 111–12; *Wills*, 150; *ECNE*, 344–5; *RoASch*, 383, 396, 400, 410; Keynes, *Diplomas*, 197, 213–14; A.

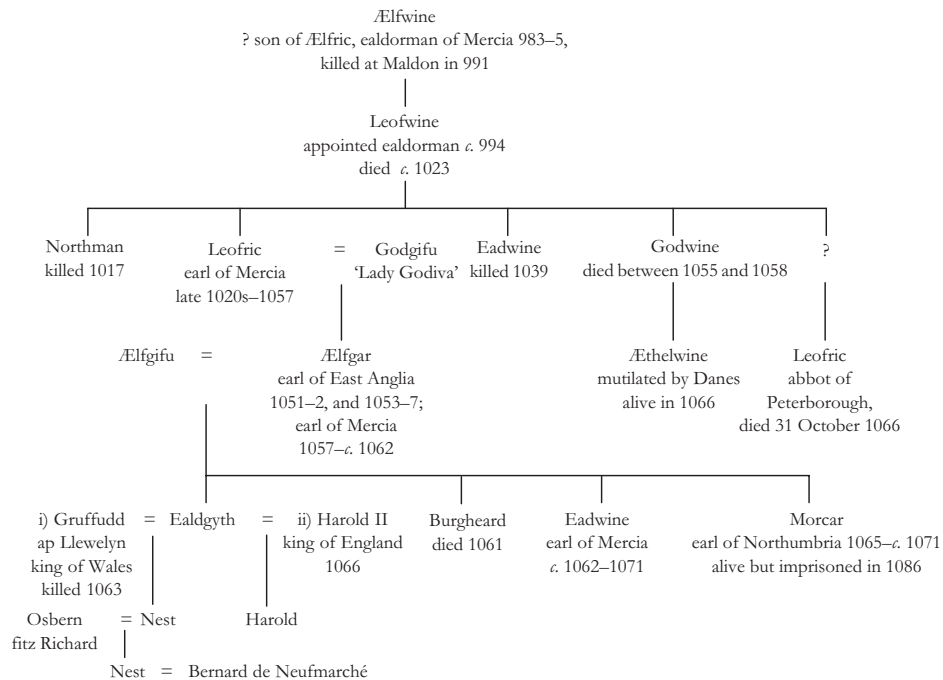


Figure 2.1. The family of Ealdorman Leofwine.

certainty, but it is likely that he was a scion of one of the great families of ealdormen who had administered Mercia during the late tenth century; and possible (no more) that he was identical with a thegn named Ælfwine who makes a speech in the Maldon poem in which he proudly proclaims himself to be ‘on Myrcon miccles cynnes’ (‘of a great family amongst the Mercians’), and a descendant of Ealdorman Ealhhelm who administered Mercia between about 940 and 951.²

Leofwine appears to have been promoted to the rank of ealdorman in 994, for two royal diplomas issued that year bear his earliest subscriptions as *dux*.³ It is impossible to trace his career prior to that date with any certainty. He may have been identical with the thegn (or thegns) named Leofwine who was (or were) prominent among the *ministri* who subscribed King Æthelred’s diplomas prior to 994, but it is impossible to be sure since at least one thegn named Leofwine continued to subscribe Æthelred’s diplomas in similarly prominent positions among the *ministri* after that date.⁴ The available evidence suggests that Leofwine’s command lay in the south-west Midlands: he is styled ‘ealdorman of the provinces of the Hwicce’ in a diploma issued 997;⁵ he was granted bookland in Warwickshire in 998 and in Herefordshire in 1014;⁶ he witnessed a Worcester marriage agreement which is datable c. 1014 × 1023;⁷ and he is named in three documents relating to property in Worcestershire which were drawn up during the first few years of Cnut’s reign.⁸

Since Leofwine is not mentioned in the narrative accounts of Æthelred’s reign, nothing is known about his involvement in the

Williams, ‘“Cockles amongst the Wheat”: Danes and English in the Western Midlands in the First Half of the Eleventh Century’, *Midland History* 11 (1985), 1–22, at 8; S. Keynes, ‘Cnut’s Earls’, in *The Reign of Cnut: King of England, Denmark and Norway*, ed. A. Rumble (London, 1994), 43–88, at 74–5; *PASE* (2005), s.n. ‘Leofwine 49’.

² London, Society of Antiquaries, MS 60, fo. 65; *Hugh Candidus*, 68; *The Battle of Maldon*, ed. D. Scragg, in *The Battle of Maldon AD 991*, ed. D. Scragg (Oxford, 1991), lines 216–24; *PASE* (2005), s.n. ‘Ælfwine 29’; A. Williams, ‘*Princeps Merciorum Gentis*: the Family, Career and Connections of Ælfhere, Ealdorman of Mercia 956–83’, *ASE* 10 (1982), 143–72, at 144, 147 n. 21, 161, 171 n. 138.

³ S 880, 881.

⁴ Keynes, *Atlas*, Table 63, s.n. ‘Leofwine 1’; *PASE* (2005), s.n. ‘Leofwine 52’. Both Ealdorman Leofwine and the thegn of that name subscribe S 880.

⁵ S 891. The Hwicce was an independent kingdom until eclipsed by the expansion of Mercia in the eighth century. During the late Anglo-Saxon period, it formed the territorial basis of the diocese of Worcester comprising roughly Gloucestershire, Worcestershire, and part of Warwickshire: see D. Hooke, *The Anglo-Saxon Landscape: the Kingdom of the Hwicce* (Manchester, 1985), 12–20.

⁶ S 892, 932.

⁷ S 1459.

⁸ S 1384, 1423, 1460.

Viking wars.⁹ However, the witness lists of Æthelred's diplomas make it possible to say rather more about his career as one of the king's leading advisers. Leofwine was appointed as part of a wider process of restructuring and change at the king's court which appears to have been prompted partly by the king's passage into maturity, and partly by the gathering intensity of the Viking threat.¹⁰ At the time of Leofwine's appointment, it was conventional for ealdormen to subscribe royal diplomas in order of seniority: the subscriptions of the longest-serving ealdorman were almost invariably positioned first, followed by those of ealdorman in the order in which they had been appointed; and when the most senior ealdorman died, the subscriptions of those who survived him each moved up a place, with newly appointed ealdormen positioned at the bottom of the lists. The pecking order shortly after Leofwine's appointment is illustrated by the witness list of a diploma which was issued in 997, and which identifies each ealdorman's command: it was subscribed by Æthelweard 'Occidentalium Prouinciarum dux' ('ealdorman of the western provinces'), who had been appointed in about 975; by Ælfric 'Wentaniensium Prouinciarum dux' ('ealdorman of provinces of Hampshire'), who had been appointed in 982; by Ælfhelm 'Norðanhumbrensiū Prouinciarum dux' ('ealdorman of the Northumbrian provinces'), who had been appointed in 993; by Leofsige 'Orientalium-Saxonum dux' ('ealdorman of the East Saxons'), who was appointed in 994; and by Leofwine 'Wicciarum Prouinciarum dux' ('ealdorman of the provinces of the people of the Hwicce') in that order.¹¹ This seems to have been the order of precedence among the ealdorman between 994 and about 998 when Æthelweard retired or died, with the exception that Leofsige and Leofwine jostled with one another for position, presumably because they had been appointed ealdormen at about the same time.¹² Ealdorman Ælfric enjoyed precedence among the ealdormen between 999 and 1009. Between 999 and 1002, Ealdorman

⁹ It has been suggested that Leofwine may have been among those who submitted to Swein at Bath in 1013, and that King Edmund retreated to his ealdordom after *Assandun* in 1016: see A. Williams, *Æthelred the Unready: The Ill-Counselled King* (London, 2003), 121 n. 60, 136 n. 22. This is likely though impossible to prove. For the possibility that Leofwine's grandson Æthelwine was among the hostages given to Swein in 1013 and mutilated by him early the following year, see Appendix 1.

¹⁰ Keynes, *Diplomas*, 186–93; Williams, *Æthelred*, 19–67.

¹¹ S 891; Keynes, *Diplomas*, 196–7, 255.

¹² Leofwine is the first to subscribe S 1380 dated 996 (for 994), but this is spurious and little reliance can be placed on the order of the subscriptions of ealdormen, which appear to have been scrambled.

Ælfhelm subscribed in second position, while Leofsige and Leofwine shared third and fourth positions respectively; but in 1002, Leofsige was banished for killing a royal reeve named Æfic ‘in his own house and without warning’; and most of the diplomas issued between 1002 and 1005 were subscribed by just three ealdormen: Ælfric, Ælfhelm and Leofwine in that order.¹³

There followed a second phase of restructuring and change at the king’s court between 1006 and 1007 which has justly been described as ‘something approaching a palace revolution’.¹⁴ Many of the king’s counsellors who had enjoyed prominence at court hitherto cease to figure in the witness lists at this time. Some apparently died of natural causes, but others seem to have retired from court politics, presumably under some duress, and others were brutally eliminated from the political scene. Most notably, the annal for 1006 in the *Anglo-Saxon Chronicle* records that a certain Wulfgeat was deprived of all his property, that Ealdorman Ælfhelm of Northumbria was killed, and that his sons Wulfheah and Ufgeat were blinded.¹⁵ A faction focused on Eadric ‘Streona’ was the principal beneficiary of these developments. The annal for 1007 records that Eadric was appointed ealdorman of Mercia, and this is confirmed by two diplomas issued that year—one subscribed by Eadric as the first among the thegns, the other subscribed by Eadric *dux*. Significantly, Eadric’s name occurs above that of Leofwine in the witness list of the second of these diplomas, disrupting the pattern of seniority which had obtained hitherto.¹⁶

Leofwine appears to have been restored briefly to his former position, for his subscription occurs in second position among the ealdorman in a diploma issued in 1009 below that of Ealdorman Ælfric and above those of ealdormen Eadric and Uhtred, who had been appointed to Ælfhelm’s former command in Northumbria in 1006.¹⁷ However, an ‘immense raiding army’ led by the Earl Thorkell harried England between 1009 and 1011, and the charter evidence for these years is, not surprisingly, exiguous; and when the sequence resumes in 1012, it emerges that Eadric had attained primacy among Æthelred’s ealdormen, for his subscription occurs in first place among the ealdormen in all six of the diplomas issued between 1012 and 1016. Indeed, this is the only consistent feature of the subscriptions of ealdormen between these

¹³ LS no. 71 (S 916, 926); Keynes, *Atlas*, Table 62.

¹⁴ Keynes, *Diplomas*, 209–14 at 211.

¹⁵ ASC CDE *s.a.* 1006.

¹⁶ S 916, 915.

¹⁷ S 922.

dates: the other ealdormen—including Ælfric, who had enjoyed the primacy among Æthelred's ealdormen between 999 and 1009—appear to have competed for the remaining positions.¹⁸ For instance, a diploma issued in favour of Leofwine's son, Northman, in 1014 is subscribed by ealdormen Eadric, Leofwine, Uhtred and Ælfric in that order.¹⁹ It thus emerges that Eadric had been promoted over the heads of Leofwine and the other ealdormen.

This is one of several reasons for suspecting that Leofwine formed part of a faction which was hostile to Eadric during the closing years of Æthelred's reign. Recent work has established that such a faction began to coalesce during the last few years of Æthelred's reign.²⁰ It appears to have been centred on the æthelings Æthelstan and Edmund, King Æthelred's sons by his first marriage, who were doubtless determined to press their own claims to succeed their father, and to eclipse the prospects of Edward and Alfred, Æthelred's sons by his later marriage to Queen Emma. Æthelstan and Edmund were closely connected to two prominent east Midland thegns named Sigferth and Morcar. One indication that this faction was hostile to Eadric is the fact that Sigferth was married to the niece of Ealdorman Ælfhelm, whose murder in 1006 is said (by John of Worcester) to have been contrived by Ealdorman Eadric.²¹ Æthelstan died on 25 June 1014 leaving his brother Edmund to carry the torch. Matters came to a head the following year when, at a meeting of the *witan* in Oxford, Eadric enticed Sigferth and Morcar into his chamber and had them basely murdered. King Æthelred then seized the property of the murdered thegns and ordered Sigferth's widow to be seized and taken to Malmesbury (strongly suggesting his support for Eadric), whereupon Edmund rebelled: he marched first to Malmesbury, where he married Sigferth's widow, and then to the east Midlands where he took possession of Sigferth's estates and received the submission of all the people. These divisions were exploited by Cnut who landed in England with an invasion force in late 1015; for while the king lay sick at Cosham, it was left to Eadric and Edmund to mobilize an

¹⁸ Keynes, *Diplomas*, 214. ¹⁹ S 931.

²⁰ P. Stafford, 'The Reign of Æthelred II: a Study in the Limitations on Royal Policy and Action', in *Æthelred the Unready: Papers from the Millenary Conference*, ed. D. Hill, British Archaeological Reports, British Series, 59 (1978), 15–46 at 35–7; C. Insley, 'Politics, Conflict and Kinship in Early Eleventh-Century Mercia', *Midland History* 25 (2000), 28–42; Williams, *Æthelred*, 115–17, 120–1, 131–50; S. Keynes, 'Eadric Streona (*d.* 1017)', in *ODNB*.

²¹ JW *s.a.* 1006 (ii. 456–8).

army to confront Cnut; and 'when they united, the ealdorman wished to betray the ætheling, and on that account they separated without fighting, and retreated from their enemies'. Shortly afterwards, Eadric seduced forty ships away from the king and joined forces with Cnut. This was the first of a series of the acts of treachery attributed to Eadric in the campaigns which culminated in Cnut's conquest of England in 1016.²²

Ealdorman Leofwine's involvement in these events is uncertain, but there are several indications that he formed part of the anti-Eadric faction. First, there can be little doubt that the rise of Eadric undermined Leofwine's influence and prestige at court: this is plain from the way in which Eadric leapfrogged Leofwine to achieve primacy among the ealdorman despite being many years his junior. Second, the rise of Eadric must have compromised Leofwine's position in Mercia, for whereas Leofwine appears to have been the only ealdorman whose jurisdiction lay between Thames and Humber between 994 and 1007, much of that region fell under Eadric's command after that date. Precisely how much is unclear. It is often assumed that Eadric was ealdorman of all of Mercia, but the available evidence suggests that his formal command was confined to Cheshire, Shropshire, Staffordshire and perhaps Herefordshire—an ealdorom roughly coterminous with the dioceses of Lichfield and Hereford.²³ He seems nevertheless to have intruded upon Leofwine's command. A Worcester monk named Hemming, who compiled an account of the spoliation of Worcester in the 1090s, styles Eadric 'Streona, id est adquisitor', and complains that he seized estates in Gloucestershire and Wiltshire from the church of Worcester, and caused Winchcombeshire to be subsumed into Gloucestershire.²⁴ Since

²² *ASC CDE s.a.* 1015, 1016.

²³ *ASC CDE s.a.* 1007 says that 'Eadric was appointed ealdorman over the kingdom (*rice*) of the Mercians'; but Hemming (*HC*, 280) says that Eadric presided over the whole kingdom of the English, and had dominium 'quasi subregulus'; and the Evesham Chronicle says that he was one of the most powerful men in the land (*Evesham*, 154). But the more specific evidence all points towards the north-west. John of Worcester (ii. 456–8) says that Eadric invited Ealdorman Ælfhelm to Shrewsbury and then arranged his murder in 1006; the *Annales Cambriae*, ed. J. Williams ab Ithel, Rolls Series 20 (London, 1860), *s.a.* 1012 say that Eadric led an expedition into South Wales which desolated St Davids; *ASC CDE s.a.* 1016 records that Edmund Ætheling and Earl Uhtred of Northumbria led a punitive attack against Eadric by leading 'an army into Staffordshire and into Shropshire and to Chester'; the same annal makes Eadric the commander of the *Magonsæte* g(roughly Herefordshire and Shropshire); and Domesday Book shows that Eadric's descendant and namesake, Eadric 'the Wild', held land in Shropshire and Herefordshire (Williams, *ENC*, 91–4).

²⁴ *HC*, 280–1.

Worcestershire and Gloucestershire formed part of the Hwicce, it would appear that Eadric had made his presence felt deep inside Leofwine's ealdordom. Third, there is evidence that the families of Ealdorman Leofwine, Ealdormen Ælfhelm, and Sigeferth and Morcar were closely connected.²⁵ Finally, the *Anglo-Saxon Chronicle* strongly implies that that Eadric and Leofwine were on opposing sides during the campaigns of late 1015 and early 1016:

Her on þissum geare com Cnut mid his here 7 Eadric ealdorman mid him ofer Temese into Myrcum æt Cregelade, 7 wendon þa to Wærinwicscire innan ðære Middanwintres tide 7 heregodan 7 bærndon 7 slogan eal þæt hi to coman.

[In this year Cnut came with his army, and Ealdorman Eadric with him, across the Thames into Mercia at Cricklade, and they turned then into Warwickshire within the Christmas season, and ravaged and burnt, and killed all they came across.]²⁶

Warwickshire lay within Leofwine's command, and although he is not specifically mentioned here, this sounds very much like a deliberate assault on his territory; indeed, both sides seem to have begun the campaigns of 1016 by ravaging one another's lands, for the *Anglo-Saxon Chronicle* goes on to say that Ætheling Edmund led an army in Staffordshire, Shropshire, and Cheshire and ravaged it while Cnut and Eadric harried the shires which lay between the south-west Midlands and east Midlands, the regions controlled by Edmund and his allies.²⁷ None of these points are in themselves conclusive; but taken together, they amount to a strong case for thinking that Leofwine and Eadric were political rivals who took opposing sides in the crisis which culminated in Cnut's conquest.

A Worcester lease issued by Archbishop Wulfstan in favour of his brother Ælfwig in 1017 supplies a glimpse of the key players in Mercian politics in the immediate aftermath of Cnut's conquest. Its witness list reads as follows:

²⁵ Leofwine and Ælfhelm were both benefactors of Peterborough: *Hugh Candidus*, 68–9. Sigeferth and Morcar occupy the second and third positions respectively among the thegns who subscribed S 931, the diploma dated 1013 which records a grant of land in Northamptonshire in favour of Northman. Domesday Book records that Leofwine's descendants held many of the estates listed in the will of Wulfric 'Spot', Ælfhelm's brother; and Leofwine's grandson, Earl Ælfgar, held several of the estates which had been granted to Morcar in 1009; S 922, 1536, below, 180–2. In addition, Earl Ælfgar married Morcar's daughter, Ælfgifu, and his father Earl Leofric backed Harold 'Harefoot', the son of Cnut by Ælfgifu of Northampton: see Appendix 1.

²⁶ *ASC C s.a.* 1016; *MS C*, ed. O'Brien O'Keefe, 100.

²⁷ Williams, *Æthelred*, 136–7.

Ego wulfstan [in humi]litate ecclesiarches cum caractere crucis consignauui.			
Ego godwine eps. confirmaui	Ego eadric DUX	Ego ælfgar MIN.	Ego eadric prbt.
Ego æþelstane eps. adquieui	Ego leofwine DUX	Ego ægelward MIN.	Ego godwine prbt.
Ego briðwold eps. adnuo	Ego norðman MIN.	Ego leofric MIN.	Ego wulfwine prbt
Ego afa abbas	Ego eadric MIN.	Ego brihtwine	Ego æþelwine prbt.
Ego ælfward abbas	Ego eadwine MIN.	Ego leofnoth	Ego ælmer prbt.
Ego leofwine monach.	Ego æþeric DIAC.	Ego witstan DIAC.	Ego wulfwig prbt.
			Ego ælfgar Diac.

This document survives only in a seventeenth-century copy, but the copyist appears to have reproduced the exact layout of the witness list from the original he had before him.²⁸ It evidently records a meeting of some importance, attended by Archbishop Wulfstan (though interestingly *not* Bishop Leofsige of Worcester), Bishop Godwine of Rochester, Bishop Æthelstan of Hereford, Bishop Brihtwold of Ramsbury, Abbot Ælfweard of Evesham, Abbot Afa, perhaps of Gloucester, ten members of the Worcester community, two earldormen, and eight thegns (assuming Brihtwine and Leofnoth were thegns).²⁹ Since all of the attestations belong to Englishmen, it would appear that the document was issued before Danish earls began to make their presence felt in the west Midlands. The witness list also shows that Eadric continued to enjoy nominal seniority over Leofwine in 1017—though by doing so it also reveals a more complex reality behind the *Anglo-Saxon Chronicle's* assertion that Cnut assigned all of Mercia to Eadric in 1017. For the present purposes, the special interest of the witness lies in the subscriptions of Northman, Leofric, and Eadwine, for they were almost certainly the sons of Leofwine; and if so, they represent the earliest and last extant subscriptions of Leofric and Northman respectively. In addition,

²⁸ S 1384 (British Library MS Harley 4660 fo. 9v). The copyist has left several gaps in his text, and these presumably represent lacunae in the original. It is probable that the witness list is an exact copy of the original because it is deliberately laid out in four columns and not as a single continuous list, and because the copyist left a large gap after the witness list, and was therefore not constrained by space.

²⁹ For these identifications, see I. Atkins, 'The Church of Worcester from the Eighth to the Twelfth Century, Part II', *Archaeological Journal* 20 (1940), 1–38, 203–29 at 15–16; for Abbot Afa, see *HRH*, 225–6.

it is possible that Ælfgar *minister* was identical with the Ælfgar son of Meaw, who fought with Eadric at the battle of Sherston in 1016; and that Æthelweard *minister* was the brother of Ealdorman Eadric.³⁰ It is striking that Eadric and Leofwine attended the same meeting, each accompanied by kinsmen and allies. It would be interesting to know whether the two families had resolved their differences at this stage, or were they remained engaged in a struggle for power in Mercia right to the last. Only this much is sure: Eadric and Leofwine's son Northman were executed on Cnut's orders before the year was out.³¹

Despite the execution of his eldest son, Leofwine survived in office for about another six years. He therefore represented one of the strands of continuity between Cnut's regime and that of his predecessor.³² The extent of English participation in that regime is illustrated by the witness list of a diploma issued by Cnut at Easter 1019 in favour of New Minster, Winchester, which survives in its original form.³³ It was subscribed by King Cnut, Queen Emma, Archbishop Lyfing of Canterbury, Archbishop Wulfstan of York, plus five bishops and five abbots, all with English names. However, the lay attestations comprise earls (*duces*) named Þurkil (Thorkell), Yric (Eiríkr), Godwine, Elaf (Eilífr), Leofwine and Regnold; and thegns (*ministri*) named Sihtric, Hacun, Healden, Þured, Atsere, Ælfgar, Þurkil, Byrhtric, Æþelwerd, Sireð, Oslac, and Leofwine. The first, second, fourth, and sixth of these earls were Scandinavians, as were the first five, the seventh and the eleventh of the thegns. It thus transpires that, although Englishmen continued to dominate the religious hierarchy, Scandinavians already dominated the secular hierarchy, though not quite to the exclusion of the English. It is also worth noting that Earl Godwine's subscription already occurs above that of Leofwine in this diploma, even though Godwine was Leofwine's junior in age and experience. This suggests that Godwine had come from nowhere to overtake Leofwine in the

³⁰ For Ælfgar son of Meaw, see JW *s.a.* 1016 (ii. 486), Keynes, *Diplomas*, 227 n. 265; A. Williams, 'A West-Country Magnate of the Eleventh Century: the Family, Estates and Patronage of Beorhtric Son of Ælfgar', *Family Trees and the Roots of Politics*, ed. K. S. B. Keats-Rohan (Woodbridge, 1997), 41–68, at 42–3; Williams, *Æthelred*, 32–3. For Æthelweard brother of Eadric, see JW *s.a.* 1007 (ii. 460), Keynes, *Diplomas*, 212.

³¹ ASC CDE *s.a.* 1017.

³² For debate on the extent of continuity and change in England aftermath of Cnut's conquest, see K. Mack, 'Changing Thegns: Cnut's Conquest and the English Aristocracy', *Albion* 16 (1984), 123–34; Williams, 'Danes and English'; Fleming, *Kings and Lords*, 21–52; M. K. Lawson, *Cnut: The Danes in England in the Early Eleventh Century* (London, 1993), 161–88; Keynes, *Atlas*, Table 64; Keynes, 'Cnut's Earls'.

³³ S 956.

pecking order, just as Eadric had done a decade earlier. New men appear to have been the bane of Leofwine's life. The point is of some moment, for the rivalry between the families of Leofwine and Godwine was to become a leitmotif of English politics between 1016 and 1066.

The attestations of earls in Cnut's diplomas can be resolved into four distinct phases, each defined by the 'primacy' of a particular earl: that of Earl Thorkell, 1017–21; that of Earl Eiríkr, 1021–3; that of Earl Godwine over the Scandinavian earls, 1023–late 1020s; and that of Godwine with Earl Leofric as second in command, late 1020s to 1035.³⁴ In broad terms, the pattern of comital attestations became progressively simpler, with fewer earls represented during each phase. Initially, Scandinavian earls dominated, though never to the exclusion of Englishmen; but for various reasons, all but one of the Scandinavian earls withdrew from the English political scene, and by the end of the reign two Englishmen, Godwine and Leofric, dominated the comital ranks.

Leofwine's subscription occurs in five royal diplomas of variable reliability between 1019 and about 1023 in fifth, third, sixth, sixth and fourth place among the *duces*.³⁵ He therefore retained the rank of ealdorman during the primacies of Thorkell and Eiríkr, but his authority appears to have been heavily circumscribed during this period. Like William the Conqueror in the late 1060s and early 1070s (below, Chapter 7), Cnut created three new earldoms in the west Midlands and entrusted them to his most trusted henchmen: Eilífr, Hákon and Hrani. It is impossible to reconstruct the precise extent of their earldoms, but there is evidence which connects Eilífr with Gloucestershire,³⁶ Hákon with Worcestershire,³⁷ and Hrani with Herefordshire.³⁸ It is not clear who exercised comital authority in north-west Mercia in the early 1020s; nor is it clear how Leofwine figured in these arrangements. However, it will be recalled that Gloucestershire, Worcestershire, and Herefordshire had formed part of Leofwine's ealdordom before 1016. With this in mind, the activities of Scandinavian earls in these shires could be interpreted in various ways: Leofwine may have been assigned an earldom elsewhere in Mercia (perhaps in the north-west Midlands); the

³⁴ Keynes, 'Cnut's Earls', 78–87.

³⁵ S 956 (authentic original), 954 (forgery incorporating a witness list from a genuine text), 980 and 984 (spurious, but probably incorporating genuine witness lists of the early 1020s), and 977 (authentic original); Keynes, *Atlas*, Table 69.

³⁶ S 1424. See also *Brut y Tywysogyon, or the Chronicle of the Princes: Red Book of Hergest Version*, ed. and trans. T. J. Jones (Cardiff, 1955), s.a. 1022, which records that Eilífr ravaged Dyfed in Wales that year.

³⁷ S 1460; *HC*, 251–2.

³⁸ S 1462; *HC*, 274; cf. JW, ii. 532.

Scandinavian earls may have been subordinate to Leofwine; or Leofwine may have been subordinate to them. The problem is epitomized by two Worcestershire charters. One of these refers to a meeting of a *sciregemot* at Worcester attended by 'Leofwine ealdor[m]an 7 Hacu[n] 7 Leofric', which seems to give Leofwine precedence;³⁹ but the other is attested by 'Hacun eorl, Eglaf eorl and Leofwine ealdorman' in that order.⁴⁰ However, Leofwine's attestation usually occurred below those of Eilífr and Hákon in royal diplomas (the attestations of Leofwine and Hrani never coincide); and as we shall see, there is also some evidence that Leofwine's sons Eadwine and Leofric deputized for the Scandinavian earls in Mercia. These points combine to suggest that Leofwine's authority and that of his sons was subordinate to that of Scandinavian earls in Mercia during the early 1020s.

Leofwine's last subscription occurs in a diploma which is also extant in its original form, datable *c.* 1023, and consists of a grant by Cnut of five hides at Newnham in Northamptonshire to a monk named Æfíc; Leofwine's subscription here occurs in fourth place below those of earls Godwine, Eiríkr, and Eilífr in that order (and immediately above that of Leofric *miles*, presumably his son).⁴¹ This proves that Leofwine lived to see the beginning of Godwine's primacy. The date of Leofwine's death is not known, but he is presumed to have died shortly after his last subscription in about 1023. If so, he outlived his eldest son by about six years.

NORTHMAN

Unlike his father, Northman did not survive Cnut's purge of the English aristocracy in 1017:

Her on þissum gear feng Cnut kyning to eallon Angelcynnes ryce 7 hit todælde on feower, him sylfan Westsexan 7 þurkylle Eastenglan 7 Eadrice Myrcan 7 Irke Norðhymbran. 7 on þissum gear wæs Eadric ealdorman ofslagen 7 Norðman Leofwines sunu ealdormannes 7 Æthelweard Æthelmæres sunu greatan 7 Brihtric Ælfehes sunu on Defenascire. 7 Cnut cyning aflymede ut Eadwig ætheling 7 eft hine het ofslean. 7 þa toforan Kalanedas Agusti het se cynigc fetian him þæs cyniges lafe Æthelrædes him to wife Ricardes dohtor.

³⁹ S 1460.

⁴⁰ S 1423.

⁴¹ S 977. Æfíc was probably identical with the man of that name who, as prior of Evesham, was closely connected with Leofric and Godiva: see *Evesham*, 150–6, and below, 163–4.

[In this year, King Cnut succeeded to all the kingdom of England, and divided it into four, Wessex for himself, East Anglia for Thorkell, Mercia for Eadric, and Northumbria for Eiríkr. And in this year Ealdorman Eadric was killed, and Northman, son of Ealdorman Leofwine, and Æthelweard, son of Æthelmær the Stout, and Beorhtric, son of Ælfheah of Devonshire. And King Cnut exiled the ætheling Eadwig and afterwards had him killed. And then before 1 August the king ordered the widow of King Æthelred, Richard's daughter, to be fetched as his wife.]⁴²

John of Worcester supplies a few further details. He says that Eadric was killed in a palace in London for treachery towards his former lords, King Æthelred and King Edmund, and that his body was thrown over the city walls. He also styles Northman *dux*; identifies him as the brother of Leofric *comes*; asserts that Northman, Æthelweard, and Beorhtric were blameless ('sine culpa'); and remarks that Cnut appointed Leofric earl in Northman's place.⁴³ Northman's death is also noted in a passage in the Evesham Chronicle. This describes Northman as 'potens homo' ('a powerful man') and says that Cnut granted Leofric all of Northman's estates, which were numerous, including five hides at Hampton in Worcestershire which Northman had held for many years as a gift from King Æthelred.⁴⁴ For what it may be worth, a similar story concerning the death of Northman is told in the *Historia Croylandensis* (the 'pseudo-Ingulph'—a late and difficult source which contains some authentic matter but also a good deal of forgery). This says that Northman was employed by Ealdorman Eadric as one of his retainers; that on account of his influence, Northman secured the lease of an estate at Badby in Northamptonshire from Crowland Abbey for a peppercorn rent and in return became the monastery's 'procurator et protector'; that Northman was executed in 1017 because he had been foremost among Eadric's dependants; and that the estate at Badby was then granted by Cnut

⁴² ASC CDE s.a. 1017; MS C, ed. O'Brien O'Keeffe, 103. For Northman, see Williams, 'Danes and English', 7–8; RoASCh, 383; ECEE, 195–6; Whitelock, 'Dealings', 70–88, at 82 n. 1; W. G. Searle, *Anglo-Saxon Bishops, Kings and Nobles: The Succession of the Bishops and the Pedigrees of the Kings and Nobles* (Cambridge, 1899), 450–1; Freeman, NC, i. 414, 740; Keynes, *Diplomas*, 158 n. 11; PASE (2005), s.n. 'Northman 4' and 'Northman 5'.

⁴³ JW s.a. 1017 (ii. 504).

⁴⁴ Evesham, 154. S 873 purports to record a grant of land at Hampton by King Æthelred in favour of Northman, *minister*, but the charter is spurious. Æthelred's grant in favour of Northman is also referred to in S 1223, an Evesham charter which records Earl Leofric's grant of Hampton to Evesham. For the complex history of this estate, see below, 165–8.

to Leofric, who subsequently gave it to Evesham.⁴⁵ It is not clear how much of this is invention: Evesham sources certainly give a very different account of the process by which it acquired title to Badby.⁴⁶

John of Worcester appears to have been in error in styling Northman *dux*, for there is no other evidence that he ever attained the rank of ealdorman or earl. A certain Northman *dux* occurs among the witnesses of a diploma dated 994, but this was almost certainly another individual who held office in Northumbria.⁴⁷ Northman son of Leofwine can be plausibly identified in just two of Æthelred's diplomas. The first of these is dated 1013, and records a grant by Æthelred of three and a half hides at Twywell in Northamptonshire to a certain Northman *miles*.⁴⁸ The beneficiary of this was almost certainly Northman son of Leofwine, for as we have seen, the monks of Crowland preserved the tradition that Northman held land in Northamptonshire; and Leofwine is known to have held land nearby in Huntingdonshire. In addition, the diploma in question is preserved in the archives of Thorney Abbey, which held the estate in question in 1066, and Thorney was among the abbacies

⁴⁵ *The Chronicle of Croyland by Ingulf*, ed. W. de Gray Birch (Wisbech, 1883), 98–9, 114; *Ingulph's Chronicle of the Abbey of Croyland*, trans. H. T. Riley (London 1854), 115–16, 133. For the possibility that Northman is represented in the so-called Guthlac Roll of Crowland, see below, 189 n. 153.

⁴⁶ S 957 is a spurious Evesham charter which purports to be a grant of four hides at Badby and Newnham in Northamptonshire to Evesham Abbey. The Evesham Chronicle records that Cnut granted Newnham and Badby to Evesham in 1018; that these estates were subsequently held by Prior Æfic, but were restored by him to Evesham; and that they were wrongfully acquired by the kinsmen of a certain Wulfsgie (the spiritual father of Earl Leofric and Lady Godiva), but were subsequently restored to Evesham by Wulfsgie himself. The estate appears to have been in the abbey's possession in the twelfth and thirteenth centuries: *Evesham*, 134, 152, 188, 396, 482. Domesday Book records that Badby was held by Crowland Abbey in 1086: GDB 222c (Northamptonshire 11:6). Curiously, the 'pseudo-Ingulph' (trans. Riley, 170, 257–8) claims that the Domesday commissioners assigned the estate to Crowland in error. It then goes on to claim that Abbot Geoffrey of Crowland (1109 – c. 1124) made an unsuccessful attempt to recover Badby from Abbot Maurice of Evesham (d. 1130). For connections between the house of Leofwine and Evesham and Crowland, see Chapter 5.

⁴⁷ S 881. Northman *dux* is presumably identical with the Northman *eorl* whose grant of land at Escomb, county Durham, to St Cuthbert's, Durham, is recorded on fo. 43r of the Durham *Liber Vitae* (S 1659; RoASch, 140)); and the Northman *eorl* to whom Ealdhun, bishop of Durham (990–1018) leased property: see *Historia de Sancto Cuthberto. A History of Saint Cuthbert and His Patrimony*, ed. T. Johnson South (Cambridge, 2002), 66; *Sym*, i. 83. This Earl Northman was probably identical with the Northman, brother of Nafena, who attended a great council in London in about 989 or 990 together with other northern dignitaries (S 877). For this Earl Northman, see Whitelock, 'Dealings', 81–2; *PASE* (2005), s.n. 'Northman 2'.

⁴⁸ S 931.

controlled by Northman's kinsman Abbot Leofric, in the 1050s.⁴⁹ The second document bearing Northman's name is a royal diploma, dated 1016, which purports to record the restitution to Evesham Abbey of land in Gloucestershire by King Æthelred. This too is 'subscribed' by Northman in close conjunction with thegns named Godwine and Eadwine (conceivably Northman's brothers), but the charter is spurious as it stands.⁵⁰ Northman's last recorded act was to subscribe the Worcester lease issued by Archbishop Wulfstan in 1017 and subscribed by his father and his brothers, Leofric and Eadwine.⁵¹

EADWINE

Hemming's *codicellus* records that a certain Eadwine, brother of Earl Leofric, obtained control of property in Warwickshire, Worcestershire, and Shropshire from the church of Worcester by virtue of a system of land law which meant that a landholder who failed to pay the geld due from his land could forfeit it to anyone who paid that geld on their behalf. Hemming goes on to say that Eadwine was ignominiously killed by the Welsh king Gruffudd ap Llywelyn not long afterwards.⁵² Other sources establish the date and place of Eadwine's death. The annal for 1039 in MS C of the *Anglo-Saxon Chronicle* records that 'Wealas slogan Eadwine Leofrices broðor eorles' ('the Welsh killed Eadwine, Earl Leofric's brother'), and many good men with him;⁵³ and the *Annales Cambriae* state that Gruffudd defeated the English in a battle at the ford of the Cross.⁵⁴ The battlefield has been identified as Rhyd-y-Gors, a ford on the Severn close to Welshpool on the Welsh border with Shropshire.⁵⁵

⁴⁹ GDB 222b (Northamptonshire 10:1); below, 190–5.

⁵⁰ S 935. The witness list is spurious in its received form, for it contains subscriptions which are inconsistent with the date (Keynes, *Diplomas*, 267–8), but the forger may have had drawn on a genuine document drawn up in the last year or so of Æthelred's reign.

⁵¹ S 1384.

⁵² *HC*, 278. For Eadwine, see *PASE* (2005), *s.n.* 'Edwin 28'; also 'Edwin 20', 'Edwin 26' and 'Edwin 30'.

⁵³ *ASC C s.a.* 1039; *MS C*, ed. O'Brien O'Keeffe, 107; cf. *ASC D s.a.* 1052, JW, ii. 528, 566.

⁵⁴ *Annales Cambriae*, ed. Williams, *s.a.* 1039 (24); *Brut y Tywysogion ... Red Book of Hergest Version*, ed. Jones, *s.a.* 1039 (22–3).

⁵⁵ J. E. Lloyd, *A History of Wales from the Earliest Times to the Edwardian Conquest* (London, 1911), 359–60; *Brut y Tywysogion or the Chronicle of the Princes: Peniarth MS 20 Version*, ed. T. J. Jones (Cardiff, 1952), 150; K. L. Maund, *Ireland, Wales and England in the Eleventh Century* (Woodbridge, 1991), 124, 126.

Eadwine son of Leofwine may be identical with the thegn of that name who subscribed five royal diplomas between 1005 and 1016.⁵⁶ It is impossible to prove that this was the son of Leofwine, but it may be significant that the documents in question included S 931, the diploma granted to Northman in 1013 (where Eadwine's subscription occurs in eighth position among the thegns), and S 935, which was one of the few diplomas subscribed by Northman (Eadwine subscribed this diploma in sixth position among the thegns, Northman in third). Eadwine's name also occurs in the witness lists of three royal diplomas which date to the reign of King Cnut, including a spurious Crowland charter 'dated' 1032 which identifies him as Leofric's brother.⁵⁷ In addition, Eadwine can be identified in the witness lists of four documents relating to affairs in the west Midlands: the 1017 Worcester lease which was also subscribed by Ealdorman Leofwine and his other sons, Northman and Leofric; an Evesham lease which was also subscribed by Leofwine and Leofric; and two Worcester leases dated 1038.⁵⁸ He is also named in a document, datable 1016 × 1035, which records a lawsuit heard before the Herefordshire *scirgemot* in the presence of Bishop Æthelstan, Earl Hrani, and Eadwine 'þæs ealdormannes ...' ('the ealdorman's [son?])' who had come there on the king's business, together with many others including Bryning the sheriff and all the thegns in Herefordshire.⁵⁹ This establishes that Eadwine was a royal official with responsibilities in the west Midlands within Cnut's regime. He was either acting as his father's deputy, or in his own right as sheriff in a nearby shire: the fact that he held several estates in Shropshire and died fighting on the border between Wales and Shropshire suggests that he may have been sheriff of Shropshire. All the same, he never achieved anything like the same prominence as his brother Leofric.

EARL LEOFRIC

Hemming's *codicellus* identifies Earl Leofric as the son of Leofwine.⁶⁰ His earliest subscription as a thegn occurs in the lease issued by Archbishop

⁵⁶ Keynes, *Atlas*, Table 63 (3 of 9) *s.n.* 'Eadwine'; *PASE* (2005), *s.n.* 'Edwin 20'.

⁵⁷ S 954, 965 (the Crowland forgery), 971; Keynes, *Atlas*, Table 70 (1 of 2); *PASE* (2005), *s.n.* 'Edwin 26'.

⁵⁸ S 1384, 1392–3, 1423. ⁵⁹ S 1462.

⁶⁰ *HC*, 261. For Earl Leofric, see *Writs*, 565–6; RoASch, 412–13; Keynes, 'Cnut's Earls', 77–8; A. Williams, 'The Spoliation of Worcester', *ANS* 19 (1996), 383–408; *eadem*, 'Leofric, earl of Mercia (d. 1057)' in *ODNB*.

Wulfstan in 1017.⁶¹ John of Worcester says that Cnut appointed him earl in the place of his brother, Northman, in 1017, and afterwards held him in great esteem;⁶² and the Evesham Chronicle similarly implies that Leofric was promoted in 1017 or shortly afterwards, remarking that Cnut made Leofric ‘comitem et principem’ over all the territories between Worcestershire and Scotland to make amends for Northman’s execution, and that he granted Leofric Northman’s estates, which were numerous.⁶³ However, the available evidence combines to suggest that Leofric was promoted to the rank of earl in the late 1020s, having served as sheriff of Worcestershire under one of Cnut’s henchmen prior to that date. A thegn named Leofric—presumably the future earl—subscribed an undated Worcester lease issued some time before the death of Archbishop Wulfstan in 1023, plus six of the fifteen diplomas issued between 1018 and 1026.⁶⁴ In addition, the Worcester archive preserves a record of a lawsuit heard at the Worcestershire shire court in the presence of ‘Ealdorman Leofwine, Hákon and Leofric’;⁶⁵ and the Evesham archive preserves a Worcestershire writ of King Cnut which is addressed to Earl Hákon and Leofric ‘uiccomes’ (‘sheriff’),⁶⁶ plus another document which records how Abbot Ælfweard of Evesham purchased an estate in Worcestershire from a certain Æthelmær ‘swa swa he hit gebohte þa ða hit weste læg æt Hacune 7 æt Leofric 7 æt ealre scire’ (‘just as he bought it, when it was lying waste, from Hákon and Leofric and the whole shire’).⁶⁷ The earliest reliable royal diploma subscribed by Leofric *dux* is dated 1032.⁶⁸ Since there are no extant diplomas for the period between 1027 and 1031, the date of his promotion cannot be determined with any precision. However, this is surely to be connected with the fact that Cnut’s Scandinavian earls ceased to play a major role in the administration of Mercia during the late 1020s: Earl Eilífr disappears

⁶¹ S 1384. Leofric cannot be identified with any confidence among the thegns who subscribed Æthelred’s diplomas: it seems improbable that he was identical with either of the thegns named the Leofric who were prominent in Æthelred’s court in the early 980s (of whom one was apparently prominent until about 1007); and no other thegn named Leofric subscribed Æthelred’s diplomas during the last eight or nine years of his reign: Keynes, *Atlas*, Table 63.

⁶² JW *s.a.* 1017 (ii. 504). ⁶³ *Evesham*, 154.

⁶⁴ S 1385; Keynes, *Atlas*, Table 70. Leofric’s subscription occurs in fourth position among the thegns in S 954, dated 1019; in eleventh or thirteenth position in S 980, ‘datable’ 1021 × 1023; in first position in S 960, dated 1023, and in S 977, an original datable 1021 × 1023; in sixth position in S 959 dated 1023, and eighth position in S 962, dated 1026.

⁶⁵ S 1460. ⁶⁶ S 991. ⁶⁷ S 1423.

⁶⁸ S 964. Leofric also ‘subscribes’ S 965, ‘dated’ 1032, but this is spurious.

from view in about 1024; Earl Hrani fails to make an impression in the evidence between the late 1020s and the early 1040s; and Earl Hákon was installed as ruler of Norway following the expulsion of Óláfr Haraldsson in 1028 before being killed at sea in 1030.⁶⁹ Leofric was presumably promoted to fill the vacancies thus created.

Leofric's subscription occurs in second place among the earls in each of the ten extant royal diplomas issued between 1032 and 1035, invariably below that of Earl Godwine.⁷⁰ Only two other earls attested Cnut's diplomas between these dates: a certain Ælfwine *dux* who attested three diplomas between 1033 and 1035; and Siward, earl of Northumbria, who attested one diploma dated 1033.⁷¹ This remained the pattern for more than two decades: Leofric's subscription almost always occurs in second position below that of Earl Godwine and above that of Earl Siward in the diplomas of kings Harold I, Harthacnut, and Edward the Confessor until the deaths of Godwine in 1053 and Siward in 1055.⁷² Leofric also subscribed a lease of an Oxfordshire estate issued by Ælfwine, bishop of Winchester, between 1043 and 1044;⁷³ a document recording an agreement between Archbishop Eadsige and a certain Æthelric concerning land in Kent, datable *c.* 1045;⁷⁴ a St Albans lease concerning land in Oxfordshire, datable 1049 × 1052 (probably 1051);⁷⁵ and a sequence of Worcester leases issued between 1038 and 1056.⁷⁶ He is also named in two of King Edward's writs relating to Coventry, of which one is authentic.⁷⁷

Earl Leofric made a significant contribution to the course of politics during the mid eleventh-century. His political importance derived partly from the fact that he provided a counterweight to the growing power of the house of Godwine; indeed, the rivalry between these two families was one of the leitmotifs of mid eleventh-century politics. This

⁶⁹ Keynes, 'Cnut's Earls', 58–62.

⁷⁰ Keynes, *Atlas*, Table 69. Earl Leofric also 'subscribed' S 992, the authenticity of which is uncertain.

⁷¹ For Ælfwine, see Keynes, 'Cnut's Earls', 78. For Siward, see Whitelock, 'Dealings', 83; W. E. Kapelle, *The Norman Conquest of the North: The Region and its Transformation 1000–1135* (London, 1979), 25–49; Williams, *ENC*, 58; Keynes, 'Cnut's Earls', 65–6; W. M. Aird, 'Siward, earl of Northumbria (*d.* 1055)', in *ODNB*.

⁷² Keynes, *Atlas*, Tables 69 and 74. The exceptions comprise two spurious diplomas (S 995 and 1000), and one dubious charter (S 982, which Leofric does not subscribe), plus one apparently authentic diploma (S 998, discussed below, 38).

⁷³ S 1391.

⁷⁴ S 1471.

⁷⁵ S 1425.

⁷⁶ S 1392, 1393, 1394, 1396, 1406, 1408, and 1409; Keynes, *Atlas*, Table 78. Leofric is also named in S 1395, 1398 and 1408.

⁷⁷ S 1098 (spurious), 1099 (authentic).

rivalry is first visible in the annal for 1035 in MS E of the *Anglo-Saxon Chronicle*, which records that a meeting of all the councillors was held at Oxford shortly after the death of Cnut on 12 November 1035. There

Leofric eorl 7 mæst ealle þa þegenas be norðan Temese 7 þa liðsmen on Lunden gecuron Harold to healdes ealles Englelandes him 7 his broðer Hardacnute þe wæs on Denemearcon. 7 Godwine eorl 7 ealle þa yldestan menn on Westseaxon lagon ongean swa hi lengost mihton, ac hi ne mihton nan þing ongean wealcen. [Earl Leofric and almost all the thegns north of the Thames and the *liðsmen* in London chose Harold to hold all of England for himself and his brother Harthacnut who was in Denmark. And Earl Godwine and all the chief men in Wessex opposed it as long as they could, but they could not contrive anything against it.]⁷⁸

Harthacnut was Cnut's son by Queen Emma; Harold was Cnut's son by a certain Ælfgifu, daughter of Ealdorman Ælfhelm. Leofric's decision to back Harold may have been the product of a longstanding alliance between his family and a prominent east Midlands family to which Harold's mother belonged.⁷⁹ MS D of the *Anglo-Saxon Chronicle* calls her 'Ælfgifu of Northampton', presumably because she held property in Northampton itself and its dependent shire. Ælfgifu was the mother of two children by Cnut named Swein and Harold, and exploited this position to become a major player in English and Scandinavian politics. Several sources cast doubt on Cnut's paternity of Ælfgifu's children, but it is plain that Cnut himself acknowledged them for they were named after his father and grandfather.⁸⁰ The precise date of Cnut's union with Ælfgifu cannot be determined, but it is known to have produced children before Cnut married Queen Emma in 1017; the relationship probably began between 1013 and 1014 when Swein and Cnut wintered in the east Midlands.⁸¹ The whereabouts of Ælfgifu in the 1020s is uncertain, for her status had by then been considerably undermined by Cnut's marriage to Queen Emma.⁸² However, John

⁷⁸ ASC E s.a. 1035; MS E, ed. Irvine, 76.

⁷⁹ Above, 22–4; below, Appendix 1.

⁸⁰ ASC CDE s.a. 1035; JW, ii. 520–1; EER, 38–40; Adam of Bremen, *Gesta Hammaburgensis ecclesiae pontificum*, in *Quellen des 9. und 11. Jahrhunderts zur Geschichte der Hamburgischen Kirche und des Reiches*, ed. W. Trillmich and R. Buchner, *Ausgewählte Quellen zur deutschen Geschichte des Mittelalters* 11 (Berlin, 1978), 160–502, at 316; Stafford, *QE*, 233–4.

⁸¹ ASC CDE s.a. 1013–14; Williams, *Æthelred*, 120, 127.

⁸² EER, 55–61; Stafford, *QE*, 231–3; Keynes, 'Introduction to the 1998 Reprint', in EER, xxv–xxvi. Ælfgifu of Northampton's name may have been entered into the

of Worcester says that Cnut made Ælfgifu's son Swein king over the Norwegians before he died in 1035.⁸³ John is the earliest English source to refer to the rule of Swein and Ælfgifu in Norway, but their impact on Scandinavian literature and history was considerable. Fragments of nine mostly contemporary or near-contemporary skaldic poems concerned with Swein's rule in Norway have been identified;⁸⁴ and several late twelfth- and thirteenth-century Scandinavian texts deal with the same episode.⁸⁵ Although late, this material combines to establish the basic truth that Swein and Ælfgifu were sent to govern Norway on Cnut's behalf in about 1030 following the death of Earl Hákon; that Swein was regarded as king of Norway by contemporaries; that the regime of Swein and Ælfgifu proved disastrously unpopular; and that they were driven from Norway by Magnús Óláfrsson in about 1034. Swein appears to have died shortly afterwards, but Ælfgifu was back in England supporting her other son Harold, presumably by 1035 and certainly by 1036, for a remarkable letter written in June of that year describes some of the methods Ælfgifu had been deploying in order to cultivate support for her son in England. Among other tactics,

universis primatibus nostris convivia maxima celebravit, et nunc eos prece, nunc pretio currumpere statagens, iuramentis sibi suoque nato subiugare temptavit.

Thorney *Liber Vitae* (British Library Additional MS 40000 fo. 10r), since it occurs in close conjunction with Harold *rex*, but the point cannot be proven: for different views, see D. Whitelock, 'Scandinavian Personal Names in the *Liber Vitae* of Thorney Abbey', *Saga-Book of the Viking Society for Northern Research* 12 (London, 1937–45), 127–53 (repr. in her *History, Law and Literature in 10th–11th Century England* (London, 1981)), 131; J. Gerchow, *Die Gedenküberlieferung der Angelsachsen* (Berlin, 1988), 190, 326; Lawson, *Cnut*, 131–2.

⁸³ JW, ii. 520.

⁸⁴ M. Townend, 'Contextualizing the *Knútsdrápur*: Skaldic Praise-Poetry at the Court of Cnut', *ASE* 30 (2001), 145–79.

⁸⁵ Theodoric, *Historia de Antiquitate Regum Norwagiensium*, c. 21, trans. D. and I. McDougal, *An Account of the Ancient History of the Norwegian Kings*, Viking Society for Northern Research (London, 1998), 33–4; *Ágrip Af Nóregskonungasögum: A Twelfth-Century Synoptic History of the Kings of Norway*, ed. and trans. M. J. Driscoll, Viking Society for Northern Research 10 (London, 1995), 40–1, 44–5, 46–7; Saxo Grammaticus, *Danorum Regum Heroumque Historia, Books X–XVI*, ed. and trans. E. Christiansen, 2 vols. in 3, BAR International Series 84 and 118 (Oxford, 1980–1), 28, 34, 44, 188, 224; *Knytlinga Saga: The History of the Kings of Denmark*, trans. H. Pálsson and P. Edwards (Odense, 1986), 38–9; Snorre Sturluson, *Heimskringla, or The Lives of the Norse Kings*, trans. E. Monsen and A. H. Smith (Cambridge, 1932), 433, 464–6, 468–73, 477–9.

[she organized a great party for all our leading men, and, eager to corrupt them at times with entreaty and at times with money, tried to subordinate them with oaths to herself and to her son.]⁸⁶

Leofric was presumably among the 'leading men' referred to in this letter. It would have been natural for Ælfgifu to look to him for support, for he was by far the most powerful magnate in the Midlands, and it is possible that his family was by this time connected to that of Ælfgifu through marriage.⁸⁷

The succession of King Harold in 1035 was a triumph for Earl Leofric, but he experienced a series of setbacks during the next few years. In 1036, Earl Godwine abandoned his support for Queen Emma and Harthacnut and threw in his lot with Harold, demonstrating his switch of 'loyalty' by playing an important role in the capture and murder of Ælfred Ætheling in that year.⁸⁸ At some stage before 1038, a certain Thuri was appointed to an earldom in the south-east Midlands, which meant that Leofric was no longer the only earl in Mercia.⁸⁹ The killing of Leofric's brother Eadwine by King Gruffudd ap Llewelyn in 1039 signalled the presence of a major new threat on the western borders of Leofric's earldom. In 1040, King Harold died, and Harthacnut sailed to England with a mighty fleet to claim the throne. This must have been acutely embarrassing for Leofric, for he had been instrumental in preventing Harthacnut from securing the throne five years earlier.⁹⁰ In 1041, there was a major incident in Mercia. Two of Harthacnut's housecarls were murdered collecting geld in the town of Worcester.

Unde rex, ira commotus, ob ultionem necis illorum, Thuri Mediterraneorum, Leofricum Merciorum, Goduuinum Westsaxonum, Siuuardum Northymbro-
rum, Roni Magesetensium et ceteros totius Anglie comites, omnesque ferme

⁸⁶ Keynes, 'Introduction to the 1998 Reprint', p. xxxii.

⁸⁷ See the discussion of Ælfgifu, wife of Earl Ælfgar in Appendix 1.

⁸⁸ Keynes, 'Introduction to the 1998 reprint', p. xxxi.

⁸⁹ For Earl Thuri, see Freeman, *NC*, i. 520, ii. 573–4; *Writs*, 574; A. Williams, 'The King's Nephew: the Family, Career and Connections of Ralph, Earl of Hereford', *Studies in Medieval History Presented to R. Allen Brown*, ed. C. Harper-Bill, C. Holdsworth and J. L. Nelson (Woodbridge, 1991), 327–43, at 330; Keynes, *Atlas*, Tables 69–70, 70, 74–5, 78. The evidence that his earldom lay in the east Midlands is as follows: John of Worcester styles him *comes Mediterraneorum* (JW, ii. 532); he was addressed in two Ramsey writs relating to Huntingdonshire (S 997 and 1106); and he subscribed a St Albans charter (S 1228) pertaining to land in Buckinghamshire and Hertfordshire. His earliest subscription as earl occurs in S 1392, dated 1038; the subscriptions of his successor, Earl Beorn, commence in 1045 (Keynes, *Atlas*, Table 74).

⁹⁰ *ASC CDE s.a.* 1040; JW, ii. 528–32.

suos huscarlas cum magno exercitu ... illo misit mandans ut omnes uiros si possent occiderent, ciuitatem depredatum incenderent, totamque prouinciam deuastarent.

[The king was enraged by this and, to avenge their deaths, he sent there Thuri of the Midlanders, Leofric of the Mercians, Godwine of the West Saxons, Siward of the Northumbrians, and Hrani of the *Magonsate*, and all the other English ealdormen and almost all his housecarls with a great army ... ordering them to slay all the men if they could, to plunder and burn the city, and to lay waste the whole area.]⁹¹

This must have been politically and financially damaging for Leofric, for Worcestershire lay within his earldom. The fact that Hrani was among the leaders of this mission is striking, for this represents his first occurrence in English sources since the late 1020s; and the fact that John styles him Hrani 'of the *Magonsate*' suggests that Harthacnut may have restored him to an earldom in that part of Mercia, which had hitherto formed part of Leofric's command.⁹² For these reasons, Harthacnut's sudden death on 8 June 1042 is likely to have come as a relief for Leofric, as for many other Englishmen.⁹³ All the same, Leofric immediately faced a new political quandary, for Harthacnut was succeeded by Edward, who had spent twenty-five years in exile from the Anglo-Danish regime in which Leofric had prospered.

Edward had excellent reasons for resenting the established political elite in England in 1042; but since he lacked his own support base, he was in no position to attack individual members of that elite. Unsurprisingly, therefore, the witness lists of his diplomas demonstrate overwhelming continuity of personnel at the king's court either side of 1042.⁹⁴ It is suggestive that the only occasion when the subscription of Earl Leofric occurs below that of Siward in an authentic charter is in Edward's earliest extant diploma, issued in 1042: this might just be a hint that relations between Edward and Leofric were tense during the first few months of the reign.⁹⁵ It is also possible that Leofric made a conciliatory gesture to Edward the following year, for the Benedictine monastery at Coventry which Leofric had founded and endowed was consecrated on 4 October 1043, and there are grounds for thinking that Leofric

⁹¹ JW, *s.a.* 1041 (ii. 532–3).

⁹² Hrani's subscription does not occur in the witness lists of Cnut's diplomas in the early 1030s, but does 'subscribe' S 995, a spurious charter of Harthacnut: Keynes, *Atlas*, Table 69; Keynes, 'Cnut's Earls', 60–1.

⁹³ ASC CDE *s.a.* 1042; JW, *s.a.* 1042 (ii. 532–4).

⁹⁴ Barlow, *Edward*, 75; Keynes, *Atlas*, Tables 66–70, 72–5.

⁹⁵ S 998.

used this occasion to distance himself from the regimes of Edward's predecessors.⁹⁶ Leofric certainly gave Edward unambiguous support six weeks later, for on 16 November 1043, Leofric rode from Gloucester to Winchester together with Godwine and Siward and helped Edward to deprive Queen Emma of her treasure.⁹⁷

The politics of Edward's reign were dominated by two intimately related issues: the question as to whom Edward intended to succeed him, and the balance of power between his earls. For the purposes of analysing the interplay between these issues, the reign can be divided into six phases. During the first of these (1042–5), Edward formed an alliance with the house of Godwine which culminated in his marriage to Godwine's daughter, Edith—a union which was presumably intended to produce an heir to the throne. During the second (1046–51), relations between Edward and the house of Godwine became increasingly tense as the marriage to Edith failed to produce an heir, and the king became more established and less dependent Godwine's support. The third comprised two years of crisis (1051–2). In 1051, Edward attempted to rid himself of the house of Godwine by sending them into exile, and probably also made some kind of commitment to Duke William of Normandy concerning the succession in return for his support. However, in 1052 Godwine and his sons sailed a fleet up the Thames and forced the king to restore them to their earldoms and Edith to the king's bedchamber. The fourth phase (1053–7) commenced with the death of Godwine on 15 April 1053. This enabled Edward to restructure his earldoms, and to pursue a new succession policy: that he should be succeeded by Edward 'the Exile', one of the sons of King Edmund Ironside who had been in exile since 1016. But Edward Ætheling died in mysterious circumstances shortly after returning to England in 1057. There followed a fifth phase (1058–65) during which Edward appears to have acquiesced in the dominance of Godwine's sons. By 1059 at the latest, and probably by late 1057, Godwine's sons controlled four of the five earldoms; and having secured this position of dominance, two of Godwine's sons—Harold and Tostig—began vying with one another to become the heir apparent. Edgar Ætheling, son of Edward 'the Exile', now the last surviving representative of the West Saxon royal dynasty, was sidelined. The sixth and final phase (3 October 1065 to 5 January

⁹⁶ Below, 153–63.

⁹⁷ *ASC D s.a.* 1043.

1066) was brief and decisive: following a rebellion in Northumbria, Tostig was forced into exile, Edward became fatally ill, and assigned the kingdom to Harold on his deathbed.⁹⁸

Leofric played an important, though largely passive, role in the first three of these phases. The structure of the English earldoms had been such as to create an approximate balance of power between the earls prior to 1042, but during the first three years of Edward's reign that balance tipped decisively in favour of the house of Godwine. In 1043, Godwine's son Swein was appointed to an earldom in the south-west Midlands. This must have caused Leofric some concern, for this region had formerly formed part of Leofwine's command; and to compound matters, Swein promptly seized property in Shropshire which had formerly been held by Leofric's brother Eadwine.⁹⁹ The house of Godwine enjoyed further triumphs in 1045, when Edward married Godwine's daughter Edith and appointed Godwine's son, Harold, and his nephew, Beorn, to earldoms in East Anglia and the south-east Midlands respectively.¹⁰⁰ Leofric's son Ælfgar was perhaps old enough to be considered for an earldom by this date, and may have been aggrieved at having been passed over for promotion.¹⁰¹

The fortunes of the house of Leofwine began to improve while those of their rivals declined during the second phase of the reign between 1046 and 1051. In 1046, Swein disgraced himself by abducting the abbess of Leominster and was sent into exile.¹⁰² In 1047, Godwine's kinsman King Swein of Denmark sent envoys to England requesting military support for his campaign against King Magnús of Norway. According to John of Worcester:

comes Goduuinus consilium regi dedit, ut saltem quinquaginta naues militibus instructas ei mitteret, sed quia Leofrico comiti et omni populo id non uidebatur consilium, nullam ei mittere uoluit.

⁹⁸ This is a thumbnail sketch of an interpretation of the politics of King Edward's reign which I propose to develop at greater length elsewhere, beginning with my paper, 'Edward the Confessor and the Succession Question', in *King Edward the Confessor: The Man and the Legend*, ed. D. Carpenter and R. Mortimer (forthcoming).

⁹⁹ S 999; Keynes, *Atlas*, Table 74; HC, 275–6, 278; Williams, 'Spoliation of Worcester', 385, 390–1.

¹⁰⁰ ASC C s.a. 1044, E s.a. 1045; Keynes, *Atlas*, Table 74; Williams, 'King's Nephew', 330.

¹⁰¹ Below, 44–5.

¹⁰² ASC C s.a. 1046, E s.a. 1047, D s.a. 1049; JW s.a. 1049 (ii. 548); HC, 275–6.

[Earl Godwine advised the king that he might safely send him at least fifty ships with their complement of soldiers but, because that did not seem advisable to Earl Leofric and all the people, he refused to send him any.]¹⁰³

In 1049, Swein returned to England and tried to recover his earldom but succeeded only in killing his kinsman Beorn before being outlawed again.¹⁰⁴ Meanwhile, other factors were causing tension between the king and the house of Godwine: Edward's marriage to Edith had failed to produce an heir, and a group of Frenchmen had risen to prominence at Edward's court.¹⁰⁵ The tension broke in 1051. In that year, Godwine, Harold and Swein mobilized armies and confronted the king at Gloucester, who responded by calling upon earls Leofric, Siward, and Ralph to mobilize armies in his defence. According to John of Worcester, Leofric was among those who sought a peaceful resolution to the crisis on the grounds that it was foolhardy for Englishmen to wage war on compatriots.¹⁰⁶ Shortly afterwards, Godwine and his family were forced into exile.¹⁰⁷ Edward then appointed his kinsman Odda as earl over Devon, Somerset, Dorset and Cornwall; and placed Ælfgar in command of Harold's former earldom in East Anglia.¹⁰⁸ Leofric was probably rewarded with control over some of the shires which had formed part of Swein's earldom.¹⁰⁹ No source specifically says so, but it is probable that Leofric spent the summer of 1052 with the king on the south coast, trying to prevent Godwine from making a comeback; indeed, it was perhaps then that the events described in the *Vision of Earl Leofric* were supposed to have occurred.¹¹⁰ The narrative sources do not mention Leofric in connection with the sequence of events which led to Godwine's return to power in September 1052, but John of Worcester says that Leofric allowed Osbern Pentecost and his *socius* Hugo—two members of a Norman faction at Edward's court to which Godwine was opposed—to escape through his earldom towards

¹⁰³ JW *s.a.* 1047 (ii. 544–5).

¹⁰⁴ ASC CDE *s.a.* 1049. For reasons which are unclear, Swein was restored to office the following year: ASC CE *s.a.* 1050; S 1021.

¹⁰⁵ For the French faction, see, most recently, C. P. Lewis, 'The French in England before the Norman Conquest', *ANS* 17 (1995), 123–41.

¹⁰⁶ JW *s.a.* 1051 (ii. 560). ¹⁰⁷ ASC CDE *s.a.* 1051; *VæDR*, 28–38.

¹⁰⁸ ASC DE *s.a.* 1051.

¹⁰⁹ JW *s.a.* 1051 (ii. 560); S 1425; S. Baxter, 'The Earls of Mercia and their Commended Men in the Mid Eleventh Century', *ANS* 23 (2001), 23–46, at 35–6.

¹¹⁰ ASC E *s.a.* 1052 says that the fleet was sent to Sandwich, and the *Vision*, l. 63 says that 'se cing leg æt Sandwic mid scipum' when Leofric experienced a vision at St Clement's church. However, the fleet was often stationed at Sandwich.

Scotland.¹¹¹ Edward was then compelled to restore Edith to court and Godwine and Harold to their earldoms; Ælfgar was therefore stripped of his earldom.¹¹² Ælfgar is not known to have been compensated with an earldom elsewhere, but Odda appears to have been compensated with an earldom in the south-west Midlands, which almost certainly impinged on Leofric's jurisdiction.¹¹³

Leofric experienced several more changes of fortune during the last five years of his life. When Earl Godwine died in April 1053, Edward appointed Harold earl of Wessex and restored Ælfgar to the earldom of East Anglia.¹¹⁴ This constituted a major shift in the balance of power between the earls, for Leofric and Ælfgar now between them controlled a continuous belt of territory between Cheshire in the northwest and Essex in the southeast (see Figure 3.1). Indeed, it is probable that Leofric extended his command further eastwards at about this time, for he and Godiva made arrangements for the endowment of St Mary's Stow in Lincolnshire between 1053 and 1055.¹¹⁵ However, these halcyon days did not last long. When Siward died in 1055, Harold's brother Tostig was given the earldom of Northumbria in preference to Ælfgar, and it is likely that Ælfgar's indignant reaction caused him to be outlawed at a council held in London that year. Harold was among those who tried, unsuccessfully, to prevent Ælfgar from forcing his way back into power a few months later.¹¹⁶ It is not known how Leofric reacted to the events of 1055, but he was certainly among those who arranged a truce between Gruffudd and the English the following year.¹¹⁷ This was his last recorded action.

Leofric was a benefactor of several religious houses: Coventry was the only monastery he actually founded, but he was also remembered as a benefactor of Evesham in Worcestershire, Leominster in Herefordshire, Much Wenlock in Shropshire, St John's and Werburgh's, Chester, Burton Abbey in Staffordshire, and St Mary's Stow in Lincolnshire; and the monks of Worcester remembered him both as patron and despoiler of their monastery.¹¹⁸ Domesday Book lists some of Leofric's estates in Shropshire.¹¹⁹ Hemming's *codicellus* and Domesday Book also combine

¹¹¹ JW *s.a.* 1052 (ii. 572).

¹¹² ASC CDE *s.a.* 1052; VÆdR, 38–46.

¹¹³ S 1407, 1408, 1409; Freeman, *NC*, ii. 581–2; RoASch, 456–8; A. Williams, *Land, Power and Politics: the Family and Career of Odda of Deerhurst* (Deerhurst Lecture, 1996), 2; Baxter, 'Commended Men', 42.

¹¹⁴ ASC CDE *s.a.* 1053.

¹¹⁵ S 1478; below, 182–8.

¹¹⁶ ASC C *s.a.* 1055; Baxter, 'Commended Men', 37–45.

¹¹⁷ ASC C *s.a.* 1056.

¹¹⁸ Below, Chapter 5.

¹¹⁹ Below, Chapter 4.

to identify some of Leofric's commended men in Warwickshire and Worcestershire, and the Ramsey Chronicle identifies a certain Saxi of Westmill as his kinsman.¹²⁰ He is styled 'dux Merciorum' ('earl of the Mercians') in Worcester leases, but the precise extent of his command probably varied in its scope.¹²¹

Leofric died in the late summer of 1057. According to John of Worcester, Leofric died at his vill at Bromley in Staffordshire on 31 August 1057;¹²² but MS D of the *Anglo-Saxon Chronicle* says that he died on 30 September;¹²³ and a thirteenth-century list of obits preserved in a Coventry book places his obit on 28 September.¹²⁴ Both D and John say that Leofric was buried at Coventry, and William of Malmesbury adds he was buried in the church of the abbey together with his wife, Lady Godiva.¹²⁵

EARL ÆLFGAR

The annal for 1051 in MS E of the *Anglo-Saxon Chronicle* describes Ælfgar as the son of Earl Leofric, and records that he was appointed to Earl Harold's earldom when he was exiled that year.¹²⁶ According to John of Worcester, Harold's earldom then comprised East Anglia (Norfolk and Suffolk) plus Cambridgeshire, Huntingdonshire and Essex.¹²⁷ Little is known about Ælfgar's career prior to this date. It is not known when he was born, though his parents were probably married in the 1010s or early 1020s, and there are grounds for thinking that he was married to Ælfifu by 1035.¹²⁸ At least two thegns named Ælfgar subscribed Cnut's diplomas between 1018 and 1035, but these subscriptions cannot be attributed to the son of Leofric with any confidence since both of the thegns in question subscribed diplomas issued in 1018, which is about when Leofric's subscriptions commence.¹²⁹ These subscriptions

¹²⁰ Below, Chapter 5; *Rams*, 145–6.

¹²¹ S 1392, 1395, 1396; below, 62–71.

¹²² JW *s.a.* 1057 (ii. 582).

¹²³ ASC D *s.a.* 1057.

¹²⁴ Bodleian Library, MS Douce 139, fo. 1v: 'Anno m^o lvii^o ... iiii kal' octobris obiit Comes Leonfricus (*sic*'); facsimile in J. C. Lancaster, *Godiva of Coventry* (Coventry, 1967), plate I. For this book, see Lancaster, *Godiva*, 32; and N. R. Ker, *Medieval Libraries of Great Britain: A List of Surviving Books* (London, 1941), 54.

¹²⁵ ASC D *s.a.* 1057; JW ii. 582; WM, GP, 470.

¹²⁶ For Ælfgar, see *Writs*, 546–7; Maund, 'Welsh Alliances'; A. Williams, 'Ælfgar, earl of Mercia (d. 1062?)', in *ODNB*.

¹²⁷ JW *s.a.* 1051 (ii. 558).

¹²⁸ Williams, *ENC*, 54–5, nn. 41, 43; above, 37.

¹²⁹ Keynes, *Atlas*, Table 70.

are more plausibly attributed to two west-country magnates, Ælfgar 'son of Meaw', who fought on the Danish side at the battle of Shertson in 1016; and Ælfgar, brother of Ordgar, the son of Ordulf, founder of Tavistock Abbey.¹³⁰ There are no attestations of thegns named Ælfgar in any charters issued between 1035 and 1042, but this is not particularly significant since few charters relating to this period are extant. Attestations of thegns named Ælfgar resume during Edward the Confessor's reign, but it remains difficult to identify the son of Leofric since Ælfgar, brother of Ordgar, continued to witness at this time. In his *Atlas of Attestations*, Keynes attributes all the attestations of thegns named Ælfgar in Edward's diplomas to Ælfgar brother of Ordgar, and this is a reasonable assumption: Ordgar attests all of the diplomas subscribed by thegns named Ælfgar in the period between 1042 and 1051; the subscriptions of Ælfgar and Ordgar occur next to one another in four of these diplomas;¹³¹ many of the relevant diplomas relate to the south west of England;¹³² and the thegn named Ælfgar who subscribed after 1051 cannot have been the son of Earl Leofric since he obtained an earldom in that year.

However, two East Anglian charters prove that Ælfgar was already an individual of some importance during the early years of Edward the Confessor's reign. His name occurs in a document which records a bequest of land in Essex by a certain Thurstan to Christ Church, Canterbury; this is datable 1042 × 1043 and extant in contemporary or near-contemporary manuscripts, and in one of these the words 'Ælfgar þes eorlles sune' ('Ælfgar the earl's son') have been inserted above Earl Leofric's name in the witness list. These words appear to be a later insertion and could have been written after Ælfgar became earl.¹³³ However, Ælfgar also witnessed the will of the same Thurstan, datable 1043 × 1045.¹³⁴ The witnesses to this document are assigned to particular counties: the witnesses 'in Norfolk' included Earl Harold, Bishop Stigand, and Osgod Clapa; the witnesses 'in Suffolk' included the dean and community of Bury St Edmunds;

¹³⁰ For Ælfgar son of Meaw, see Williams, 'West Country Magnate', 41–5. Ælfgar, brother of Ordgar, is named in S 1474, a Sherborne charter which is datable 1045 × 1046. He was probably identical with one of the thegns named Ælfgar who subscribed Cnut's diplomas, since the subscription of the latter Ælfgar occurs next to that of Ordgar in three of Cnut's charters (S 953, 971, and 975). For this family, see H. P. R. Finberg, 'The House of Ordgar and the Foundation of Tavistock Abbey', *EHR* 58 (1943), 190–201.

¹³¹ S 998, 1005, 1003, and 1021.

¹³² S 998, 1006, 1005, 1003, 1010, 1019, 1021, 1033, 1034.

¹³³ S 1530; *Wills*, 78, 189.

¹³⁴ S 1531.

and the witnesses 'in Essex' included 'Alfger þe Erles sune' (Ælfgar the earl's son), plus Leofcild and Osulf Fila and Wulfwine and Sendi and Leofric the seneschal. Leofcild was probably identical with the sheriff of that name who is addressed in two Essex writs.¹³⁵ If so, the fact that Ælfgar's subscription occurs before his is significant, since it suggests that Ælfgar held some kind of office below the rank of earl in Essex at that date; and with this in mind, it is perhaps best to leave open the possibility that that Ælfgar son of Leofric did attest some royal diplomas as *minister* during the first decade of Edward the Confessor's reign.¹³⁶

However this may be, Ælfgar's first reliable attestation as earl occurs in S 1478, the charter which records the endowment of St Mary's Stow by Leofric and Godiva, datable 1053 × 1055. Between 1059 and 1062 his attestations in royal diplomas occur in second or third place among the earls.¹³⁷ He was also addressed in a several of King Edward's writs: nine in favour of Bury St Edmund's which date to Ælfgar's tenure of the East Anglian earldom (1051–2, 1053–7);¹³⁸ a Norfolk writ in favour of Ramsey Abbey;¹³⁹ and three Worcester writs which date to the period shortly after the election of Bishop Wulfstan of Worcester in 1062.¹⁴⁰

Ælfgar's career was turbulent. As we have seen, he was assigned to Harold's earldom of East Anglia when Godwine and his family were banished in 1051, but was deprived of it when Godwine and his family returned the following year. When Godwine died in April 1053, Harold became earl of Wessex and Ælfgar was restored to the earldom thus vacated in East Anglia and the eastern counties.¹⁴¹ However, in 1055, Ælfgar was forced into exile. The three versions of the *Anglo-Saxon Chronicle* supply revealingly different explanations as to why this happened. C says that Ælfgar was outlawed at a council in London 'butan ælcan gylte' ['without any guilt'];¹⁴² D says that he was outlawed 'forneh butan gylte' ['almost without guilt'];¹⁴³ and E says that he was outlawed

¹³⁵ S 1117, 1118; *Writs*, 564–5.

¹³⁶ The Ælfgar *minister* who attests S 1000, which is 'dated' 1043, may be the son of Leofric. However, the charter is spurious, and although some of the subscriptions appear to have been taken from an authentic document of the early 1040s (S. Keynes, 'Regenbald the Chancellor (*sic*)', *ANS* 10 (1988), 185–222 at 198), it also includes some impossible attestations (e.g. that of Earl Tostig, who was not appointed until 1055).

¹³⁷ Keynes, *Atlas*, Table 74.

¹³⁸ S 1070, 1075–82.

¹³⁹ S 1108.

¹⁴⁰ S 1156–8.

¹⁴¹ *ASC* E *s.a.* 1051, CDE *s.a.* 1052, 1053.

¹⁴² *MS C*, ed. O'Brien O'Keeffe, 115.

¹⁴³ *MS D*, ed. Cubbin, 74.

forðon him man wearp on þet he wæs þes cynges swica 7 ealra landleoda, 7 he þæs geanwyrde wes ætforan eallum þam mannum þe þær gegaderode wæron, þeah him þet word ofscute his unnþances.

[because he was charged with being a traitor to the king and to all the people of the country, and he admitted this before all the men who were assembled there, though the words escaped him against his will].¹⁴⁴

Ælfgar's outlawry was almost certainly connected with the fact that Tostig son of Godwine was appointed earl of Northumbria that year, for Ælfgar would have coveted this prestigious command: perhaps he protested too vigorously when Tostig got the job? Whatever the case, Ælfgar responded by travelling to Ireland where he hired a fleet comprising eighteen ships of Norwegian mercenaries. He then crossed the Irish Sea, joined forces with King Gruffudd ap Llywelyn of Wales, and marched into Herefordshire. Ralph, earl of Hereford was charged with the defence of Hereford, but his army fled 'before any spear had been thrown', leaving Ælfgar and Gruffudd to sack the town and burn its minster, killing some of its resident priests. Later that year, Harold collected a large force from throughout much of England and led it into Wales, but peace was eventually agreed and Ælfgar was restored to his earldom.¹⁴⁵

Ælfgar became earl of Mercia when his father died in 1057, and was forced to relinquish his command in East Anglia.¹⁴⁶ This was one of the events which enabled the Godwinesons to dominate King Edward's court and kingdom, for the East Anglian earldom was assigned to Gyrth son of Godwine at some stage between 1057 and 1059, and his brother Leofwine acquired an earldom in the south-east Midlands at about this time.¹⁴⁷ Ælfgar's sons may have been old enough to be considered for promotion to the rank of earl at this time, and if so they were passed over in favour of Godwine's sons just as Ælfgar himself had been in the 1040s. The resulting tension probably does much to explain what happened in 1058:

Her man ytte ut Ælfgar eorl, ac he com sona inn ongean mid strece þurh Gryffines fultum. 7 her com scyphere of Norwegan. Hit is langsum to atellanne eall hu hit gefaren wæs.

¹⁴⁴ *MS E*, ed. Irvine, 84–5.

¹⁴⁵ *ASC CDE s.a.* 1055. For the obits of four Hereford priests killed on 25 October, ? 1055, see *Fasti Ecclesiae Anglicanae 1066–1300: VIII, Hereford*, comp. J. S. Barrow (London, 2002), 148, with comment on p. xxii (I am grateful to Dr Barrow for this reference).

¹⁴⁶ *ASC DE s.a.* 1057.

¹⁴⁷ Below, 67–8, and Appendix 2.

[In this year, Earl Ælfgar was banished but he came back forthwith by violence through Gruffudd's help. And a naval force came from Norway. It is tedious to relate fully how things went.]¹⁴⁸

John of Worcester explicitly states that Ælfgar was supported by the Norwegian fleet, and the annals of Tigernach record that this was led by Magnús, son of Haraldr Hardrada, king of Norway.¹⁴⁹ Two royal diplomas issued in 1059 confirm that Ælfgar was then back at court, for his subscription to these occurs in second place among the earls.¹⁵⁰ However, in a diploma issued in 1060, Ælfgar's subscription occurs in third place among the earls below that of Earl Tostig; and with just one exception, this remained Ælfgar's position in the pecking order until his death.¹⁵¹ According to the *Vita Wulfstani*, earls Harold and Ælfgar ('a pair remarkable for bravery, if not for piety') were among those who supported the election of Wulfstan to the see of Worcester.¹⁵² Wulfstan was elected at Easter and installed on 29 August 1062. The precise date of Ælfgar's death is not known, but it is known that Harold and Tostig led a fatal attack on Ælfgar's ally, Gruffudd ap Llywelyn, in 1063, and it is probable that this was launched once Ælfgar was safely dead.

Domesday Book attributes estates in fourteen different counties worth about £ 730 to Earl Ælfgar.¹⁵³ It also names him as the lord of numerous thegns, free men and sokemen in Cambridgeshire and elsewhere.¹⁵⁴ Notwithstanding the *Vita Wulfstani*'s slight, several religious houses remembered his acts of piety: the Evesham archive preserves two charters which purport to have been issued in his name granting property to that monastery;¹⁵⁵ Hemming's *codicellus* records that he granted an estate at Church Icomb in Gloucestershire to Bishop Wulfstan and the community at Worcester for the sake of his soul;¹⁵⁶ and an early twelfth-century illustration of the benefactors of Crowland Abbey depicts Ælfgar granting four estates in Lincolnshire to St Guthlac.¹⁵⁷ In addition, the archives of St Remigius Reims preserve a charter issued in Ælfgar's name granting the community there land in Staffordshire, and also a

¹⁴⁸ ASC D s.a. 1058; MS D, ed. Cubbin, 76.

¹⁴⁹ JW s.a. 1058 (ii. 584); *The Annals of Tigernach*, ed. and trans. W. Stokes in *Revue Celtique* 18 (1897), 399.

¹⁵⁰ S 1027, 1028.

¹⁵¹ S 1031.

¹⁵² WM, VW, 44–5.

¹⁵³ Below, 129.

¹⁵⁴ Below, Chapter 6.

¹⁵⁵ S 1238, 1479.

¹⁵⁶ HC, 404, 406.

¹⁵⁷ *The Guthlac Roll: Scenes from the Life of St Guthlac of Crowland by a Twelfth-Century Artist Reproduced from Harley Roll Y. 6 in the British Museum*, ed. Sir G. Warner, Roxburghe Club (Oxford, 1928), plate 18.

lavishly decorated gospel book, both given for the sake of the soul of Burgheard who was buried at Reims.¹⁵⁸

EARL EADWINE AND EARL MORCAR

The careers of Eadwine and Morcar were closely connected and are therefore best treated together. Two versions of the annal for 1065 in the *Anglo-Saxon Chronicle* identify them as the sons of Earl Ælfgar.¹⁵⁹ Nothing is known about their careers before they became earls, for they are not mentioned in any narrative source concerned with events prior to 1065, and cannot be identified in the witness list of any authentic diploma prior to that date.¹⁶⁰ Eadwine is known to have succeeded his father as the earl of Mercia, but since we have no authentic royal diplomas dated 1063 or 1064, the date of his appointment cannot be determined. His earliest known subscription occurs in the witness list of a diploma written at Windsor on 24 May 1065, where 'Eadwine dux' occurs in fifth place among the earls below earls Harold, Tostig, Leofwine and Gyrrh in that order. Given what happened later that year, it is striking that Morcar's name does not occur among the thegns who subscribed this diploma.¹⁶¹

On 3 October 1065, two hundred Northumbrian thegns burst into Earl Tostig's hall in York. Tostig was with the king in Wiltshire when the rebels struck, and the garrison of retainers whom he had left to guard the hall were quickly overcome. The rebels seized the earl's weapons and plundered his treasury before venting their fury on Tostig's retainers. Two of his Danish housecarls named Amund and Reavenswart tried to escape, but they were captured beyond the city walls and put to death; and the following day, two hundred more were rounded up and executed on the north bank of the River Humber.¹⁶² Anyone who known to have served in Tostig's *curia* was sentenced to death without

¹⁵⁸ S 1237; below, Appendix 1.

¹⁵⁹ ASC DE *s.a.* 1065.

¹⁶⁰ A thegn named Eadwine subscribes S 1044 (original, datable 1042 × 1044) and S 1023 (spurious, dated 1052), but there are no particular grounds for attributing either of these subscriptions to the son of Ælfgar. Morcar 'subscribes' S 1000, but this is spurious.

¹⁶¹ S 1042; see S. Keynes, 'Giso, Bishop of Wells (1061–88)', *ANS* 19 (1997), 203–71, 260–2 (for the text of this diploma), and 232–8 (for discussion of its form and authenticity).

¹⁶² JW *s.a.* 1065 (ii. 596–8).

trial. The rebels were systematic: they apparently had a list of targets, and pursued them as far as Lincoln.¹⁶³ They also had a plan. Once York had been taken

senden æfter Morkere Ælfgares sune eorles 7 gecuron hine heom to eorle. 7 he for suð mid eallre þære scire 7 mid Snotinghamscire 7 Deorbiscere 7 Lincolnascire oð he com to Hamtun, 7 his broðor Eadwine him com to togeanes mid þam mannum þe on his eorldom wæron, 7 eac fela Bryttas comon mid him.

[they sent for Morcar, son of Ælfgar, and chose him as their earl, and he went south with all the people of the shire, and of Nottinghamshire, Derbyshire, and Lincolnshire until he came to Northampton. And his brother Eadwine came to meet him with the men who were in his earldom, and also many Welshmen came with him].¹⁶⁴

This is important, for it seems unlikely that the rebels would have proceeded in this manner without some kind of indication that Eadwine and Morcar would fall in with their plans. It is also interesting that there were many Welshmen in Eadwine's army, for this suggests that Eadwine had managed to revive the Cambro-Mercian alliance which had been a such a prominent feature of his father's survival strategies.

King Edward and Tostig were hunting in the forests of Wiltshire when news of the rebellion reached them. Characteristically, Edward decided not to face the rebels himself but sent messengers to sound them out, and then sent Earl Harold to Northampton to hear their demands in person. According to C, Harold tried to broker an agreement, but the rebels held their ground; they declared Tostig an outlaw and repeated their demand for Morcar to be their earl.¹⁶⁵ Meanwhile, Edward summoned his counsellors to meet at a royal vill at Britford near Wilton; and when Harold returned from Northampton, he and Tostig attended a stormy meeting of the king's *consilium*. Tostig was there accused of cruelty and judicial oppression, and he responded by accusing Harold of having inciting the rebellion—an accusation which Harold denied on oath.¹⁶⁶ Meanwhile, the rebels were causing havoc in the east Midlands. According to E

þa norðerne men dydan mycelne hearm abutan Hamtune ... hi ofslogon men 7 bærndon hus and cornn 7 namon eall þet orf þe hi mihton to cuman, þet wæs fela þusend, 7 fela hund manna hi namon 7 læddon norð mid heom swa þet seo scyre 7 þa oðra scyre þe þærneh sindon wurdon fela wintra þe wyrstan.

¹⁶³ *VÆdR*, 76.

¹⁶⁴ *ASC E s.a.* 1065; *MS E*, ed. Irvine, 86.

¹⁶⁵ *ASC C s.a.* 1065.

¹⁶⁶ *VÆdR*, 80.

[the northern men did much damage round Northampton ... they killed people and burned houses and corn and took all the cattle that they could get at—which was many thousands—and captured many hundreds of people and took them north with them, so that the shire and other neighbouring shires were the worse for it for many years.]¹⁶⁷

Northamptonshire and neighbouring shires appear to have been severely affected by this, for the effects of the 1065 rebellion are apparently visible in the 'Northamptonshire Geld Roll' and Domesday Book.¹⁶⁸

At this stage, Edward tried to mobilize an expedition force to confront the rebels, but because winter was setting in, because 'in eadem gente horrebat quasi bellum ciuile' ('among this people there was horror at what seemed like civil war'), and perhaps above all because Harold was no longer willing to support his brother, this force could not be assembled. Edward was therefore powerless to protect Tostig. Indeed, in a candid and revealing passage, the *Vita* twice describes Edward as *impotentia* at this stage of the crisis. The king complained bitterly of being deprived of due obedience, but had little choice but to accede to the rebels' demands.¹⁶⁹ Accordingly, on 28 October, Harold met the rebels at Oxford, confirmed Morcar's appointment as earl of Northumbria, and 'niwade þær Cnutes lage' ('renewed the law of King Cnut').¹⁷⁰ A few days later, Edward allowed Tostig to leave the kingdom, distressed that he could do nothing to help him, whereupon Tostig sailed to Flanders together with his wife, children, and the surviving members of his household.¹⁷¹

Morcar spent his first weeks in office establishing control of his newly acquired earldom. One of his first acts was to appoint a deputy in the far north, for according to the *Historia Regum Anglorum* attributed to Symeon of Durham,

Morkarus uero, quoniam alias gravibus negotiis impeditus fuerat, comitatum ultra Tynam tradidit Osulfo, adolescenti filio praefati comitis Eadulfi.

¹⁶⁷ ASC E s.a. 1065; *MS E*, ed. Irvine, 86.

¹⁶⁸ F. Baring, 'Oxfordshire Traces of the Northern Insurgents of 1065', *English Historical Review* 13 (1898), 295–7; G. H. Fowler, 'The Devastation of Bedfordshire and the Neighbouring Counties in 1065 and 1066', *Archaeologia* 72 (1922), 41–50.

¹⁶⁹ *VEdR*, 80.

¹⁷⁰ ASC DE s.a. 1065; *MS E*, ed. Irvine, p. 86. E, followed by D, says that Harold met the rebels at Northampton on 28 October; C says that there was a big council at Northampton, and also one at Oxford on 28 October, and that Harold attended the latter. Since the author of C was probably writing in the Midlands (see S. Baxter, 'MS C of the Anglo-Saxon Chronicle and the Politics of Mid-Eleventh-Century England', *EHR* (forthcoming)), his testimony is preferable. For the renewal of the 'law of Cnut', see Wormald, *MEL*, 129–34.

¹⁷¹ *VEdR*, 82.

[Morcar, being burdened with other weighty matters, handed over the earldom beyond the Tyne to Osulf, the young son of the aforesaid Earl Eadulf.]¹⁷²

Osulf was a member of the house of Bamburgh, the most powerful noble family in the north. His grandfather Uhtred had been earl of all Northumbria between *c.* 1006 and 1016; his father Eadwulf had been earl of Bernicia (northern Northumbria) between 1038 and 1041; and the murder of Osulf's uncle, Gospatric, in late 1064 had been one of the factors which had triggered the Northumbrian rebellion.¹⁷³ The appointment of Osulf as Morcar's deputy may have been one of the demands of the rebels of 1065; and it surely enabled Morcar to secure the allegiance and support of a family which was firmly established in a part of the kingdom where he and his brother lacked a natural support base.

Domesday Book proves that earls Morcar, Eadwine, and Harold divided up Tostig's estates in the north between them during the last few weeks of 1065. As Table 2.1 shows, Morcar was by far the wealthiest landholder in the north *TRE*. However, the table also shows that Earl Eadwine enjoyed a significant tenurial presence in the north. This pattern is analogous to one encountered elsewhere, for Harold and Tostig were substantial landholders in each of the shires in East Anglia and south-east Midlands where their brothers Leofwine and Gyrth held office—a pattern which is best explained on the presumption that Harold and Tostig acquired a tenurial presence in the shires where their

Table 2.1. Estates attributed to King Edward and his earls in Yorkshire and Lincolnshire *TRE*

	King Edward		Earl Morcar		Earl Eadwine		Earl Harold		Earl Tostig	
	C	£	C	£	C	£	C	£	C	£
Carucates and Value										
Yorkshire	318	190	732	628	194	195	176	102	211	132
Lincolnshire	0	87	196	235	69	24	268	197	0	0
Total	318	277	928	863	263	219	444	299	211	132

¹⁷² *HReg s.a.* 1072 (ii. 198).

¹⁷³ For the house of Bamburgh, see Whitelock, 'Dealings'; Kapelle, *Norman Conquest*, 3–26; Williams, *ENC*, 17, 27–30; W. M. Aird, *St Cuthbert and the Normans: The Church of Durham, 1071–1153* (Woodbridge, 1998), 47–87; R. Fletcher, *Bloodfeud: Murder and Revenge in Anglo-Saxon England* (London, 2002).

younger brothers held office, presumably to help them become more firmly established in newly acquired earldoms.¹⁷⁴ The same logic helps to explain Eadwine's tenurial presence in Yorkshire and Lincolnshire: the intention was presumably that his holdings would augment his younger brother's authority in the north. There are also indications that Eadwine and Morcar administered their two earldoms together: both brothers enjoyed a significant tenurial presence in one another's earldoms; an entry in the Cheshire Domesday refers to the 'reeves of Eadwine and Morcar'; and C's annal for 1066 refers to the *eorldom* of Eadwine and Morcar in the singular.¹⁷⁵ It is also significant that Earl Harold held a substantial amount of property in Yorkshire and Lincolnshire. It is just possible that Harold was assigned these estates while Tostig remained earl of Northumbria, or that he obtained them as king (we can never be sure how rigorously the Domesday commissioners followed their brief to establish the status of tenures on the day Edward was alive and dead). However, the suspicion remains that Harold obtained his land in the north during the last few weeks of 1065. The spatial distribution of comital manors in Lincolnshire and Yorkshire is also suggestive. Virtually all of Morcar's estates in Yorkshire were located to the east of a north-south line drawn close to York; all of Eadwine's lay to the west of this line. Morcar, Eadwine, and Harold also controlled a string of estates along both banks of the River Humber and its strategically vital estuary, as if they anticipated that Tostig would try sail a fleet up the Humber (as he did the following year). All this seems too neat to be coincidence. It looks as if Eadwine, Morcar, and Harold carved up Tostig's tenurial empire among themselves shortly after he went into exile. It also appears that Morcar had secured his position in the north with a formidable alliance with the house of Bamburgh and Earl Harold within weeks of obtaining his earldom.

At Christmas, the English nobility assembled at Westminster to witness the consecration of King Edward's monastery. Edward had fallen ill shortly after Tostig went into exile;¹⁷⁶ and on 28 December, the date set aside for the consecration of Westminster abbey, the king was too unwell to attend the ceremony.¹⁷⁷ However, an apparently authentic witness list transmitted through a spurious charter

¹⁷⁴ Below, Chapter 4.

¹⁷⁵ GDB 264c (Cheshire 2:21); *MS C*, ed. O'Brien O'Keeffe, 122. For the suggestion that Eadwine and Morcar administered a single earldom, see P. H. Sawyer, *Anglo-Saxon Lincolnshire* (Lincoln, 1998), 140.

¹⁷⁶ *VÆdR*, 82; Barlow, *Edward*, 240.

¹⁷⁷ *VÆdR*, 112.

permits a glimpse of the leading players at court at about this time. S 1041 is the 'third' charter of Edward the Confessor for Westminster; it is 'dated' 28 December 1066, and survives in its 'original' form as a single sheet, apparently forged by Osbert of Clare at some stage in the early twelfth century (before 1139); but the forger appears to have drawn on the witness list of a charter issued during the last few weeks of Edward's reign. It is 'witnessed' by King Edward, Queen Edith, archbishops Stigand and Ealdred, nine bishops, seven abbots, Regenbald 'regis cancellarius', three men styled 'regis capellanus', five earls, and twelve thegns. The subscriptions of the earls are of special interest here. They occur in the following order: Harold (styled 'dux'), Eadwine, Gyrth, Leofwine, and Morcar (all styled 'comes'). The difference between this and the list of earls who subscribed Giso's charter six months earlier is striking. Tostig subscribed Giso's charter in second place among the earls, but his name is conspicuous by its absence in S 1041; Eadwine's subscription was placed below all four of Godwine's sons in Giso's charter, but is second only to Harold's in S 1041; and whereas Morcar did not even make the list of thegns in Giso's charter, he was ranked fifth among the earls in S 1041. The witness list thus constitutes vivid confirmation the extent to which the events of October 1065 transformed the fortunes of the house of Leofwine.

Eadwine and Morcar played a major role in the events of 1066. Eadwine and Morcar were presumably still at Westminster when Edward died on 5 January 1066 and was buried in the abbey the following day; and if so, they would have been present to witness Harold being crowned king, apparently within hours of Edward's burial.¹⁷⁸ Harold probably married Ealdgyth, sister of Eadwine and Morcar, shortly afterwards;¹⁷⁹ and although no source says so, it seems likely that they accompanied Harold when he travelled north with Bishop Wulfstan of Worcester in a bid to reconcile the Northumbrians to his regime.¹⁸⁰ In April, Tostig sailed across the Channel with a fleet of mercenaries in a bid to recover his earldom. He landed on the Isle of Wight, seized provisions, harried the south coast as far as Sandwich, and then sailed north as Harold led an army south from London to confront him there. Shortly afterwards, Tostig's fleet landed in Lindsey and began to ravage the surrounding countryside. When they learned of this, Eadwine and Morcar mobilized

¹⁷⁸ For Harold's coronation, see, most recently, B. English, 'The Coronation of Harold in the Bayeux Tapestry', in *The Bayeux Tapestry: Embroidering the Facts of History*, ed. P. Bouet, B. Levy, and F. Neveux (Caen, 2004), 347–81.

¹⁷⁹ See Appendix 1.

¹⁸⁰ WM, VW, 56.

an army and drove Tostig and his men to flight.¹⁸¹ Tostig then found refuge with Malcolm Canmore, king of the Scots; and later that summer he joined forces with Haraldr Hardrada, king of Norway, who had mobilized a great invasion fleet. The combined forces of Haraldr and Tostig, which are said to have numbered between three and five hundred ships, sailed down the coasts of Cleveland and Holderness and into the Humber, landing at Riccall on the River Ouse about ten miles south of York.¹⁸² When news of the invasion reached King Harold he began marching north immediately, but Eadwine and Morcar were forced to confront the invaders before their brother-in-law could reach them. The battle was fought on Wednesday, 20 September at Fulford Gate on the north bank of the River Ouse close to the city of York.¹⁸³ Domesday Book reveals that Fulford was one of the estates held by Morcar *TRE*, and was presumably one of the estates which had been held by Tostig prior to his fall.¹⁸⁴

C gives the fullest near-contemporary account of the battle:

þa gegaderode Eadwine eorl 7 Morkere eorll of heora eorldome swa mycel werod swa hi begitan mihton 7 wið þone here gefuhton 7 mycel wæl geslogan, 7 þær wæs þas englisca folces mycel ofslagen 7 adrenc 7 on fleam bedrifan, 7 Normen ahton wælstowe gewald.

[Earl Eadwine and Earl Morcar had gathered from their earldom as a great a force as they could muster, and fought with that army and caused a great slaughter, and there many of the English people were killed and drowned and driven to flight, and the Norwegians had possession of the place of slaughter.]¹⁸⁵

Eadwine and Morcar survived the battle, but what they did in its immediate aftermath is unclear; indeed, their movements between Fulford Gate and the aftermath of Hastings are almost entirely opaque. C records that

¹⁸¹ *ASC CDE s.a.* 1066. There are slight variations between the three manuscripts here: D states that Tostig's fleet sailed up the Humber whereas C states that he ravaged Lindsey; C says that Tostig was driven out of the country by Eadwine and Morcar, whereas D and E refer to a 'land force' led only by Earl Eadwine.

¹⁸² *ASC DE s.a.* 1066; *JW s.a.* 1066 (ii. 602) identifies the landing point and says that the fleet comprised 500 ships. K. DeVries, *The Norwegian Invasion of England in 1066* (Woodbridge, 1999), 252–3 collects the saga material relating to this phase of the invasion.

¹⁸³ *ASC CD s.a.* 1066 give the date; the location is identified John of Worcester and named by Gaimar, *Lestoire des Engleis*, ed. A. Bell, Anglo Norman Text Society (Oxford, 1960), v. 5215, and *HReg*, i. 180.

¹⁸⁴ GDB 298b (Yorkshire C:28).

¹⁸⁵ *MS C*, ed. O'Brien O'Keeffe, 121–2. For an attempt to reconstruct the battle using the saga evidence, see DeVries, *Norwegian Invasion*, 256–9.

æfter þam gefeohte for Harold cyningc of Norwegan 7 Tostig eorl into Eoferwic mid swa miclum folce swa heom þa gepuhte, 7 hi mon gislade of þære burh 7 eac to metsunge fylste, 7 swa þanon to scipe foran 7 to fullan friðe gespræcon, þæt hig ealle mid him suð faran woldon 7 þis land gegan.

[after the battle, Haraldr king of Norway and Earl Tostig went into York with as great a force as seemed necessary to them and they were given hostages from the town, and also help with provisions, and so went from there to their ships and spoke of peace provided they would all go south with them and win this land.]¹⁸⁶

It is possible that Eadwine and Morcar were parties to this agreement, for the sagas say that Eadwine was captured in York; however, the same sources say that Morcar was killed at Fulford, and this hardly inspires confidence in their testimony.¹⁸⁷ Whatever the case, Harold's army reached Tadcaster on Sunday, 24 September, and the following day it marched through York and fell upon Haraldr and Tostig at Stamford Bridge. Haraldr and Tostig had gone there to collect hostages and were taken by surprise; both of them were killed in the ensuing battle and their army was heavily defeated.¹⁸⁸ In the aftermath of the battle Harold gave quarter to Haraldr's son Ólafr and Paul, bishop of Orkney; and they sailed back down the Ouse with the other survivors with just twenty-four of the ships of Haraldr's armada. According to William of Malmesbury, this act of kindness persuaded Ólafr and his successors to bring up Harold's son and namesake after his father's death.¹⁸⁹

King Harold was not able to enjoy the triumph at Stamford Bridge for long: the wind changed direction enabling Duke William to cross the channel on 28 or 29 September 1066, forcing Harold to return south to confront him.¹⁹⁰ Whether Eadwine and Morcar accompanied him is unclear. William of Malmesbury says that they were entrusted with the spoils of Stamford Bridge and took them to London on Harold's instructions, but this is the only source which says so.¹⁹¹ When Harold reached London, probably in the first week of October, he appears to have paused there for a few days to await reinforcements, but according

¹⁸⁶ *MSC*, ed. O'Brien O'Keeffe, 122.

¹⁸⁷ DeVries, *Norwegian Invasion*, 258–60.

¹⁸⁸ *ASC CDE s.a.* 1066. For an attempt to reconstruct the battle from the saga evidence, see DeVries, *Norwegian Invasion*, 262–96.

¹⁸⁹ *WM, GR*, 480.

¹⁹⁰ For the date, see *ASC DE s.a.* 1066: D says William came from Normandy to Pevensey on Michaelmas Eve, and E that he landed at Hastings on Michaelmas day (29 September).

¹⁹¹ *WM, GR*, 468. Cf. Gaimar, vv. 5252–3, who says that the spoils were entrusted to Archbishop Ealdred.

to John of Worcester he set out for Sussex with only half of his army assembled.¹⁹² Harold was killed together with his brothers Leofwine and Gyrrh and much of the English nobility at the battle of Hastings on 14 October.¹⁹³ It is generally assumed that Eadwine and Morcar were not at Hastings, but John of Worcester seems to imply that they were. In his account of the battle, he observes that, because the English were drawn up in a narrow place, 'many slipped away from the battle line' ('de acie se multi subtraxere'). Then, having described the Norman victory and the death of Harold he remarks:

Cuius morte audita, comites Eduuinus et Morkarus, qui se cum suis certamini subtraxere, Lundoniam uenere et suorum suam Aldgitham reginam sumptam ad ciuitatem Legionum misere.

[When they heard of his death, Earls Eadwine and Morcar, who had slipped away from the battle with their men, came to London and took their sister Queen Ealdgyth and sent her to the city of Chester.]¹⁹⁴

This passage is problematic. Its elucidation depends partly on the meaning of the word *certamen*, which can mean 'competition' or 'struggle' as well as 'battle'. If the former meaning is taken, the sentence could be interpreted to mean that Eadwine and Morcar evaded the whole campaign and were not at Hastings at all; if the latter, the sentence could be taken to mean that they were in fact there but managed to slip away, either before or during the battle (the same verb, *subtraxere*, is used to describe the withdrawals of Eadwine and Morcar and of those who abandoned the line before the battle began).¹⁹⁵ However this may be, it is demonstrable that at least one member of the house of Leofwine was at Hastings, for one of the 'Peterborough additions' to MS E of the *Anglo-Saxon Chronicle* says that Abbot Leofric was there.¹⁹⁶ The point is important, for it qualifies Stenton's proposition that the rivalry between the houses of Godwine and Leofwine 'fatally weakened the possibility of a united English resistance to the Norman invasion of 1066'.¹⁹⁷

¹⁹² JW *s.a.* 1066 (ii. 604). For an attempt to establish the sequence of events between Stamford Bridge and Hastings, see Freeman, *NC*, iii. 744–6.

¹⁹³ See, most recently, M. K. Lawson, *The Battle of Hastings 1066* (London, 2002).

¹⁹⁴ JW *s.a.* 1066 (ii. 604).

¹⁹⁵ A further possibility is that the *certamen* to which John alludes was the battle of Fulford Gate, which John had described earlier in the same annal, but this possibility seems remote. See further Lawson, *Battle of Hastings*, 218 n. 100.

¹⁹⁶ MS E, ed. Irvine, 87; below, Chapter 5.

¹⁹⁷ Stenton, *ASE*, 416.

In the immediate aftermath of the battle, Eadwine and Morcar were among those who toyed with the idea of rallying behind Edgar Ætheling. According to D

Alfred arcebiscope ⁊ seo burhwaru on Lundene woldon habban þa Eadgar cild to kynge, eallswa him wel gecynde wæs, ⁊ Eadwine and Morkere him beheton þæt hi mid him feohtan woldon ...'

[Archbishop Ealdred and the citizens of London wanted to have Eadgar Ætheling as king, as was his proper due; and Eadwine and Morcar promised him that they would fight with him ...]¹⁹⁸

The same source goes on to complain that this promise was not fulfilled.¹⁹⁹ William had withdrawn to Hastings after the battle, hoping to receive the submissions of the English; but when none were forthcoming he marched his army through Kent, Surrey, Hampshire and Berkshire, constructing castles and harrying as he went.²⁰⁰ Having crossed the Thames at Wallingford, he marched to Berkhamsted in Hertfordshire, and

þær him com on gean Ealdred arcebiscope, ⁊ Eadgar cild, ⁊ Eadwine eorl, ⁊ Morkere eorl, ⁊ ealle þa betstan men of Lundene, ⁊ bugon þa for neode þa mæst wæs to hearne gedon, ⁊ þæt wæs micel unræd þæt man æror swa ne dyde, þa hit God betan nolde for urum synnum.

[there he was met by Archbishop Ealdred and Edgar Ætheling, and Earl Eadwine and Earl Morcar, and all the chief men of London. And they submitted out of necessity after most of the damage had been done—and it was a great piece of folly that they had not done it earlier, since God would not make things better, because of our sins.]²⁰¹

Shortly afterwards, on Christmas day, William was consecrated king by Archbishop Ealdred at Westminster.²⁰² Eadwine and Morcar went on to survive the first four years of William's reign before falling from power in 1071 (see Chapter 7).

¹⁹⁸ *MS D*, ed. Cubbin, 80–1.

¹⁹⁹ William of Malmesbury (*GR*, 460–2) says that Eadwine and Morcar tried unsuccessfully to persuade the people of London to make one of them king, and then retreated to Northumbria.

²⁰⁰ *ASC DE s.a.* 1066; *WP*, 142–6; *WJ*, 170; *The Carmen de Hastingae Proelio of Guy Bishop of Amiens*, ed. and trans. F. Barlow, (Oxford, 1999), vv. 597–752. For an attempt to trace the movements of William's army using the pattern of estate values in Domesday Book, see F. Baring, 'The Conqueror's Footprints in Domesday', *EHR* 13 (1898), 17–25; but see J. J. N. Palmer, 'The Conqueror's Footprints in Domesday Book', in *The Medieval Military Revolution* (New York, 1998), 23–44.

²⁰¹ *MS D*, ed. Cubbin, 81.

²⁰² *ASC DE s.a.* 1066; *WP*, 150; *Carmen*, ed. Barlow, vv. 780–835.

A FAMILY OF SURVIVORS

Indeed, the defining characteristic of the house of Leofwine was its capacity to survive. Ealdorman Leofwine survived the palace revolution of 1006–7, the rise and demise of Eadric Streona, at least two rounds of political bloodletting during Æthelred's reign, the worst of the Viking wars, Cnut's conquest of 1016, his purge of elements within the English nobility in 1017, and the appointment of three Danish earls to earldoms in the west Midlands during the first decade of Cnut's reign. Leofwine's family suffered losses during this period—Leofwine's grandson Æthelwine was mutilated by the Danes, probably in 1014, and his son Northman was executed in 1017—but its power was never extinguished. When Leofwine died in about 1023, there followed a short period in the mid 1020s when no member of his family held comital office, but his sons Leofric and Eadwine almost certainly exercised power as sheriffs of Midland shires during this period, and by the end of the decade Leofric had been (or was about to be) rewarded with promotion to the rank of earl. Leofric survived the succession crises of 1035 (which went his way) and those of 1040 and 1042 (which did not), the rise of a uniquely powerful and belligerent king in Wales, the rise of the house of Godwine between 1042 and 1045, the political tension created by the house of Godwine's declining fortunes during the late 1040s, the great crisis of 1051–2, and the appointment of two new earls, Odda and Ralph, to earldoms in the south-west and south-east Midlands respectively in the early 1050s. The killing of Eadwine by King Gruffudd ap Llewelyn in 1039 was the only casualty which his family sustained during the two and a half decades when Leofric held office. Leofric's son, Ælfgar, was deprived of earldoms in 1052, 1055, and 1058, but managed to stage a comeback on all three occasions, twice assisted by King Gruffudd, his son-in-law and ally. Ælfgar also experienced the resurgence and dominance of the sons of Godwine in the late 1050s and early 1060s, but managed to retain control of his father's earldom of Mercia until *c.* 1062 when he died. None of his sons achieved prominence at court during his lifetime, but two of them outlived him and acquired earldoms for themselves; and his daughter survived the murder of her husband Gruffudd in 1063, and shortly afterwards married Harold—the man ultimately responsible for her first husband's death. Eadwine inherited an earldom which was

surrounded on three sides by those of the sons of Godwine, but within three years he and Morcar had displaced Earl Tostig from Northumbria, and as a result controlled more territory than their family had ever done before. Eadwine and Morcar went on to survive at least one (and possibly more) of the battles of 1066 before submitting to the Conqueror; and as we shall see, it even looked for while as if they would survive the Norman Conquest itself. In the event they did not, but by then their family had been in power for more than seventy-two years: no other family of earls retained power for anything like this long.

This unique achievement demands explanation: what accounts for the house of Leofwine's political persistence? Some answers to this question will already be apparent. The family enjoyed its share of good fortune: the fact that Leofwine's ealdordom appears not to have borne the brunt of the fighting during the Viking wars, the fact that Cnut's Scandinavian earls gradually withdrew from the English political scene in the late 1020s leaving the way open for Leofric, the stroke which killed Harthacnut, the house of Godwine's tendency to self-destruct, and the fact that Tostig's rule proved unpopular in the north. The house of Leofwine also derived political benefit from some astute alliances: probably with Edmund, Sigferth and Morcar during the last few years of Æthelred's reign; certainly with Ælfifu of Northampton and her sons, King Gruffudd ap Llewelyn, the Northumbrian rebels, and with Harold son of Godwine. It is instructive that Ælfgar formed an alliance with the king who had killed his uncle, and that Eadwine and Morcar allied with Harold who had contrived their brother-in-law's death. Opportunism seems to have been a family trait, and one that enabled several members of the house of Leofwine to set aside old rivalries in pursuit of the main chance. The family perhaps also derived some advantage from being the *second* most powerful comital house, not the first: this meant that they tended to be less exposed when things went badly wrong, and enabled them to ride in the slipstream of their political opponents as if waiting for the right moment to overtake, as they did to great effect in 1035, 1051, and 1065.

However, political explanations such as these are not in themselves sufficient to explain the political longevity of the house of Leofwine; a full explanation must take account of deeper, structural considerations. The next four chapters attempt precisely this. They contend that the house of Leofwine held on to power through four generations by making effective use of the powers vested in them as agents of royal government, by amassing and exploiting immense tenurial resources, by

forging connections with several Mercian monasteries, and by cultivating a substantial network of retainers and commended men. The concluding chapter considers the fall of the house of Leofwine during the Conqueror's reign, and shows that their fall from power eventually came at precisely the moment when Eadwine and Morcar could no longer depend on these survival strategies.

3

The Extent, Nature, and Limits of the Leofwinesons' Power

INTRODUCTION

This chapter explores the extent, nature, and limits of the Leofwinesons' power, and in doing so addresses wider questions relating to the nature of late Anglo-Saxon government. During the last three decades, a 'maximum view' of the 'late Anglo-Saxon state' has been advanced, which stresses its power, sophistication and coherence.¹ Challenges to this view have recently been formulated.² However, with one important exception, neither its proponents nor its critics have given detailed consideration to the problem as to how and through whom the power of late Anglo-Saxon government was mediated.³ This chapter seeks to make progress in this relatively neglected field. Its argument comes in two halves. The first demonstrates that late Anglo-Saxon kings exercised a remarkable degree of control over the structure of English earldoms. The second argues that, although earls discharged a wide range of important political, military, and judicial functions, there were distinct limits to their powers. Both arguments are consistent with the maximum view of the late Anglo-Saxon state; indeed, they combine to confirm

¹ This view is most forcefully stated by J. Campbell, *Essays in Anglo-Saxon History* (London, 1986), especially chapters 10 and 11; *The Anglo-Saxon State* (London, 2000), especially the Introduction plus chapters 1, 2, 8, 9 and 11; and by P. Wormald, *Legal Culture in the Early Medieval West: Law as Text, Image and Experience*, (London, 1999), especially chapters 2, 10–14; and *The Making of English Law: King Alfred to the Twelfth Century, Volume I, Legislation and its Limits* (Oxford 1999).

² For less upbeat assessments of the late Anglo-Saxon polity, see E. John, 'Edward the Confessor and the Norman Conquest', *EHR* 94 (1979), 241–67, and his *Reassessing Anglo-Saxon England* (Manchester, 1996), 139–95; Fleming, *Kings and Lords*, 53–103; Hyams, *Rancor and Reconciliation*, 71–110; and S. Keynes, 'Apocalypse Then: England AD 1000', in *Europe around the Year 1000*, ed. P. Urbanczyk (Warsaw, 2001), 247–70 at 251–9.

³ An honourable exception is Williams, *Kingship and Government*, 81–150.

that kings exercised a startling degree of power over even their most mighty subjects. However, they are also consistent with the view that the Old English polity contained structural flaws which eventually proved fatal. Earls were insecure as well as powerful, and therefore sought to compensate for their insecurities by constructing informal power structures in the shires where they held office. The manner in which they did so intensified competition between rival factions causing political tension to build; and this tension periodically burst in a series of crises, culminating in that of 1066. Late Anglo-Saxon kings enjoyed formidable power over the nobility, but the manner in which they exercised that power made the early English kingdom prone to precisely the kind of political instability which eventually contributed to its demise.

THE EXTENT OF THE LEOFWINESONS' POWER

This section charts the changing structure of the Leofwinesons' commands between 994 and 1066. In doing so, it develops a point of much wider significance, for the history of Midland earldoms has a crucial bearing on the nature of the power of earls and the pattern of politics in mid eleventh-century England.

The question as to where the house of Leofwine exercised power is instructively difficult to answer. The Leofwinesons did not control a single, precisely delineated territory. On the contrary, they exercised authority over commands which lay in four different parts of midland and northern England, and which were frequently restructured as the king saw fit. Late Anglo-Saxon ealdormen and earls did not usually operate from fixed centres of power. The Northumbrian earldom may have been administered from Bamburgh and York for much of the late Anglo-Saxon period; but, if so, this was an exception which helps prove the rule, for the government of Northumbria was in many respects anomalous, and there is no comparable case for England south of the Humber.⁴ Domesday Book proves that the estates of earls were widely scattered across several shires; and although earls are likely to have

⁴ For administrative arrangements in the north, see Kapelle, *Norman Conquest of the North*, 3–119; and Aird, *St Cuthbert and the Normans*, 9–59; and for their distinctiveness, see J. Campbell, 'The United Kingdom of England: The Anglo-Saxon Achievement', *Uniting the Kingdom: The Making of British History*, ed. A. Grant and K. J. Stringer (London, 1995), 31–47; repr. in his *Anglo-Saxon State*, 31–53, at 47–50.

preferred some of their estates to others as places of residence, none of them is known to have become a permanent administrative centre.⁵ It is similarly instructive that earls were rarely assigned territorial titles. Most contemporary documents name earls without identifying their earldoms. The few that do tend to associate earls with peoples, not particular places. Thus, Ealdorman Ælfhere is styled 'Mercna heretoga' ('commander of the Mercians') in a series of late tenth-century Worcester leases; Leofwine is styled 'Wicciarum Provinciarum dux' ('ealdorman of the provinces of the peoples of the Hwicce') in a diploma of 997; and Leofric is styled 'dux Merciorum' ('earl of the Mercians') in three Worcester leases.⁶ It was not until the twelfth century that historians began to invent specific topographical titles for late Anglo-Saxon earls.⁷ Modern historians have tended to assign earls territorial titles for the sake of convenience; but it is therefore all the more important to stress that such titles are anachronistic, and potentially misleading insofar as they convey the impression that late Anglo-Saxon earldoms were stable in structure, and administered from fixed centres.

The fact that Leofric was styled earl of the Mercians does not locate his earldom with much precision. The words *Mirce*, *Mierce*, and *Myrce* (all forms of a plural noun which meant 'the Mercians', or the place where the Mercians dwelt) were apparently used to denote the whole region defined by the Thames, the Humber, the Welsh border and the border with East Anglia. Thus, according to the *Anglo-Saxon Chronicle*, King Æthelwulf went across Mercia against the Welsh in 853; the Danish army rode across Mercia into East Anglia in 870; an army comprising people from Mercia was instructed to occupy Manchester 'in Northumbria' in 919; a mid-tenth-century annal says that Mercia was bounded at one end by Dore and Whitwell gate in Derbyshire and the River Humber; Cnut and Ealdorman Eadric crossed the Thames into Mercia at Cricklade in 1016; and the Danish army went into Mercia from the River Orwell in Suffolk in the same year.⁸ The *Anglo-Saxon Chronicle* also locates the following places in Mercia: London,

⁵ Bosham in Sussex was evidently favoured by the house of Godwine (*ASC* CDE s.a. 1049, E s.a. 1051; *VEdR*, 36; *The Bayeux Tapestry*, ed. D. M. Wilson (London, 1985), plates 2–3; GDB 16b (Sussex 1:1)). But it was never the seat of the house of Godwine.

⁶ S 1299, 1309, 1326, 1332, 1372–4 (Ælfhere); S 891 (Leofwine); S 1392, 1395, 1396 (Leofric).

⁷ For example, William of Malmesbury styles Earl Ralph 'comes Herefordensis' and Earl Leofric 'Lefricus Herefordensium' (*WM*, GR, 348, 356); and Henry of Huntingdon styles both Leofric and Ælfgar as 'consul Ceastrie': HH, 380.

⁸ *ASC* C s.a. 853, A s.a. 870, A s.a. 919, ABCD s.a. 942, CDE s.a. 1016.

Oxford, Breedon-on-the-Hill in Leicestershire, Nottingham, Tamworth in Staffordshire, Torksey in Lindsey, and Farndon in Cheshire.⁹ Similarly, Æthelweard placed Derby 'in Merciorum prouinciam';¹⁰ Ælfric wrote that Oswald's relics were transferred 'to Myrcena lande into Gleawceastre';¹¹ and one of King Æthelred the Unready's codes was issued at Woodstock, Oxfordshire, 'on Myrcena lande'.¹² All this suggests that *Mierce* was used in a similar way to the way 'Midland' is used today.

The only way to determine the size and composition of mid eleventh-century earldoms is to plot all of the evidence relating to the activities of earls in narrative sources, charters and Domesday Book. A series of diagnostic questions can then be addressed. Do near-contemporary narrative sources provide clear evidence that a particular place or shire lay within a particular earldom? Is the earl in question named in the address clause of writs pertaining to that shire? (This constitutes particularly strong evidence, since earls were expected to preside over the meetings of the shire courts to which these writs were addressed.) Was he named in any charters pertaining to that shire? Was he a patron of any religious houses in that shire? Does Domesday Book reveal that he was assigned the 'third penny' of royal dues in that shire? (This also constitutes strong evidence, since the third penny was usually assigned to the incumbent earl.) How many urban properties and rural estates did the earl hold in that shire? Did he attract any of the men of that shire into his lordship? Were any of his kinsmen landholders and lords in that shire? Appendix 2 addresses these questions and distils the relevant information in tabular form.

The main points which emerge from this are as follows. Five earldoms competed for territory in the Midlands during the mid eleventh century. Certain shires formed part of the same earldom throughout the period in question; but there were also several shires which were transferred from one earldom to another, sometimes on more than one occasion. The former may be labelled 'core shires' and the latter can be labelled 'debatable shires' for analytical convenience. Table 3.1 summarizes how these were distributed among five Midland earldoms. As this shows, most of the 'debatable shires' were

⁹ *ASC* E *s.a.* 731, E *s.a.* 910, A *s.a.* 868, 873, 918, Mercian Register *s.a.* 924.

¹⁰ *Æthelweard*, 37.

¹¹ *Ælfric's Lives of Saints*, ed. W. W. Skeat, 4 vols., EETS, o.s. 76, 82, 94, 114 (Oxford, 1881–1900; reprinted as 2 vols. 1966), ii. 142.

¹² I Atr prologue (ed. Liebermann, i. 216).

Table 3.1. The structure of earldoms with territory in the Midlands

Earldom	'Core' shires	'Debatable' shires
North-west Midlands	Cheshire, Derbyshire, Shropshire, Staffordshire, Warwickshire	Nottinghamshire, Leicestershire, Worcestershire, Oxfordshire, Lincolnshire
South-west Midlands	Gloucestershire, Wiltshire (?)	Herefordshire, Worcestershire, Oxfordshire
East Midlands	Middlesex, Buckinghamshire, Hertfordshire	Oxfordshire, Leicestershire, Northamptonshire, Huntingdonshire
Eastern Counties	Norfolk, Suffolk, Essex, Cambridgeshire	Huntingdonshire, Lincolnshire, Oxfordshire
Northumbria	Yorkshire and the unshired north	Nottinghamshire, Lincolnshire, Huntingdonshire, Leicestershire, Northamptonshire, Oxfordshire

linked with two earldoms; but some, such as Leicestershire, were linked with three earldoms; and Oxfordshire was linked with five.

This analysis makes it possible to sketch the changing structure of the Leofwinesons' commands, and those of their rivals, as they grew and contracted between 994 and 1066. Ealdorman Leofwine's command lay in the south-west Midlands prior to Cnut's conquest: as we have seen, the available evidence connects him with Warwickshire, Worcestershire, Herefordshire, and Gloucestershire. His ealdordom appears to have been dismembered after 1016 and divided among Cnut's henchmen, Eilífr, Hrani, and Hákon. Leofwine remained active in Worcestershire during the first eight years of Cnut's reign, but even there his authority may have been subordinate to that of Hákon. It is possible that Leofwine was compensated with territory in Ealdorman Eadric's former command in north-west Mercia, but this cannot be proved.¹³ The process by which Leofric obtained control of the 'core shires' of the northwest Midlands is similarly opaque, but there are grounds for suspecting that he had done so by 1035, for none of the Scandinavian earls are known to have remained in office in the west Midlands by this date, and Leofric is described as a leading figure of a faction which comprised almost all the thegns north of the Thames in the annal for that year. The 'core shires' of the north-western earldom appear to have been controlled by Leofric until 1057, by Ælfgar between then and his death in about 1062, and by

¹³ Above, 19, 23, 27–8.

1. Before 1016

The command of Leofwine, 'ealdorman of the provinces of the Hwicce'



2. c. 1035

Earl Leofric's command at the end of Cnut's reign



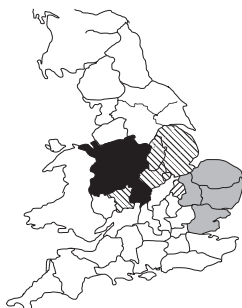
3. 1051–1052

Leofric gains territory and Ælfgar is assigned the eastern counties



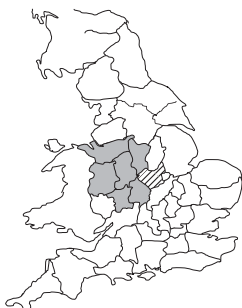
4. 1053–1055

Leofric sustains losses in the south-west but probably makes gains in the east Midlands



5. 1057–1062

Ælfgar succeeds to his father's earldom but is surrounded by four Godwineson earldoms



6. 1065–1066

Eadwine and Morcar between them control the north-west Midlands and Northumbria

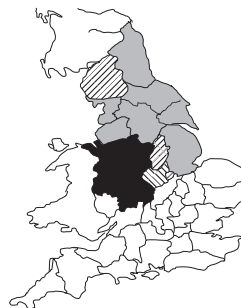


Figure 3.1. The changing structure of the Leofwinesons' commands. Supporting data is set out in Appendix 2. Diagonal shading indicates particular uncertainty.

1. Before 1020

Godwine's first command?



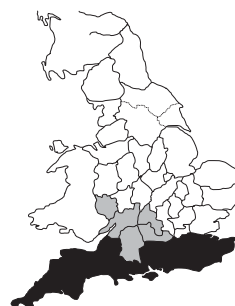
2. After 1020

Godwine acquires the south-western shires



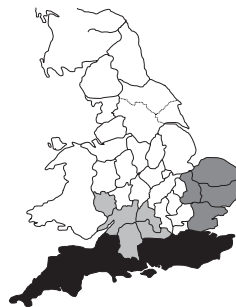
3. 1043

Godwine acquires Kent;
Swein appointed earl



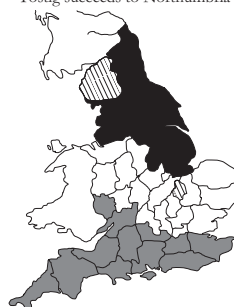
4. 1045

Harold appointed to East Anglia



5. 1055

Harold appointed earl of Wessex (in 1053)
and of the south-west Midlands (in 1055/6);
Tostig succeeds to Northumbria in 1055



6. c. 1058–1065

The house of Godwine at its most
powerful following the appointments of
Leofwine and Gyrrh



Figure 3.2. The changing structure of the Godwinesons' commands.
Supporting data for the Midland shires is set out in Appendix 2. Diagonal shading indicates particular uncertainty.

Eadwine between then and his fall from power. Ælfgar was also earl of the eastern counties between 1051 and 1052, and between 1053 and 1057.

The Leofwinesons presumably competed for control of 'debatable shires' in the Midlands throughout this period, but this is only demonstrable for the last fifteen years of King Edward's reign. Leofric apparently obtained control of Oxfordshire when Godwine and his family were in exile between 1051 and 1052; but these gains were lost when the house of Godwine returned in 1052, for the king appears to have assigned control of Oxfordshire and Worcestershire to earls Ralph and Odda respectively during the early 1050s. However, when Godwine died in 1053, Ælfgar recovered his earldom in the eastern counties, and it is possible that Leofric was compensated for losses in the west Midlands with territory in the east Midlands: this would explain why Leofric and Godiva arranged to enrich St Mary's Stow with property in Lincolnshire and Nottinghamshire between 1053 and 1055, and why Ælfgar became a benefactor of Crowland, probably at about the same time.¹⁴ If so, Leofric and Ælfgar between them controlled a contiguous block of territory which stretched from Essex in the south-east to Cheshire in the north-west during the early 1050s. However, during the mid to late 1050s, the Leofwinesons' fortunes declined as those of the house of Godwine rose. Three of Godwine's sons acquired earldoms between 1055 and 1059: Tostig was appointed earl of Northumbria in 1055; and Leofwine and Gyrrh were appointed to earldoms in the south-east Midlands and the eastern counties respectively between 1057 and 1059. Thus, although Ælfgar succeeded to his father's earldom in the north-west Midlands in 1057, his command was soon to be surrounded on three sides by the Godwinesons' earldoms. In the early 1060s, an earldom in the east Midlands was created for Earl Waltheof, son of Earl Siward. Eadwine presumably succeeded to his father's restricted command when Ælfgar died in about 1062, but the rebellion of 1065 transformed the balance of power between the houses of Leofwine and Godwine, for it left Eadwine and Morcar in control of Northumbria and much of the east Midlands: indeed, they probably between them controlled more territory in 1066 than their family had ever done at any one time before.

This evidence pulls in different directions. On the one hand, it reveals the workings of a remarkably powerful system of royal patronage. It seems clear that the structure of earldoms was closely controlled by the king: it is simply hard to imagine how such radical shifts in the balance

¹⁴ Below, 182–90.

of power between earls could have been peacefully implemented without royal sanction. Contemporary descriptions of the appointments of earls seem to support this proposition:

1. On ðissum geara ... wæs Eadric geset to ealdormen geond Myrcna rice.
[In this year ... Ealdorman Eadric was appointed ealdorman over the kingdom of the Mercians.]¹⁵
2. Her on þissum geara feng Cnut kyning to eallon Angelcynnes ryce 7 hit todælde on feower, him sylfan Westsexan 7 þurkylle Eastenglan 7 Eadrice Mrycan 7 Irke Norðhymbran.
[In this year King Cnut succeeded to the kingdom of all England and divided it into four, Wessex for himself, East Anglia for Thorkell, Mercia for Eadric, and Northumbria for Eiríkr.]¹⁶
3. Mann sette þa Oddan to eorle ofer Defenascire 7 ofer Sumersæton 7 ofer Dorseton 7 ofer Wealas, 7 mann sette Ælfgar Leofrices sunu eorles ðane eorldom on handa þe Harold ær ahte.
[Odda was set as earl over Devonshire and Somerset and Dorset and Cornwall; and there was set into the hand of Ælfgar, Leofric's son, the earldom which Harold had had.]¹⁷
4. 7 se cyng forgeaf þam eorle 7 his bearnum his fulne freondscype 7 fulne eorldom 7 eall þet he ær ahte ...
[Then the king granted the earl [Godwine] and his children full friendship and his whole earldom, and all that he had earlier controlled ...]¹⁸
5. 7 feng Harold eorl his sunu to ðam eorldome 7 to eallum þam þe his fæder ahte, 7 feng Ælfgar eorl to ðam eorldom þe Harold ær ahte.
[And Earl Harold his son succeeded to the earldom and to all that his father had had, and Earl Ælfgar succeeded to the earldom that Harold had earlier controlled.]¹⁹
6. 7 se cyng geaf þone eorldom Tostige Godwines sunu eorles, ðe Siward eorl ær ahte.
[And the king gave Tostig, son of Earl Godwine, the earldom which Earl Siward had earlier controlled.]²⁰
7. Iuniorum quoque Gyrth ... immunem non passus est idem rex a suis honoribus, sed comitatum ei dedit in ipso uertice orientalis Anglie, et hunc ipsum amplificandum promisit, ubi maturior annos adolescentie exuerit.

¹⁵ *ASC CDE s.a.* 1007; *MS C*, ed. O'Brien O'Keeffe, 92.

¹⁶ *ASC CDE s.a.* 1017; *MS C*, ed. O'Brien O'Keeffe, 103.

¹⁷ *ASC E s.a.* 1051; *MS E*, ed. Irvine, 82.

¹⁸ *ASC E s.a.* 1052; *MS E*, ed. Irvine, 84.

¹⁹ *ASC E s.a.* 1053; *MS E*, ed. Irvine, 84.

²⁰ *ASC E s.a.* 1055; *MS E*, ed. Irvine, 85.

[The king did not suffer their younger brother Gyrrh ... to be left out of the honours, but gave him a shire at the extremity of East Anglia, and promised to increase this when he was older and had thrown off his boyhood years.]²¹

8. Ðær com Harold eorl heom togeanes, 7 hi lægdon ærende on hine to þam cyng Eadwarde 7 eac ærendracan mid him sendon 7 bædon þet hi moston habban Morkere heom to eorle. 7 se cyng þæs geuðe 7 sende eft Harold heom to Hamtune ...

[Then Earl Harold came to meet them [the Northumbrian rebels], and they entrusted him with a message to King Edward, and also sent messengers with him, and asked that that they might have Morcar as their earl. And the king granted this and sent Harold back to them at Northampton ...]²²

With the possible exception of number 5,²³ these passages either present the king as active donor or the earls as passive recipients; and this suggests that kings exercised close control over comital appointments and the structure of earldoms.

Further evidence points in the same direction. The narrative sources establish that whole earldoms could be transferred from one comital house to another and back again if necessary. Earldoms could also be left vacant, as was the case in the eastern counties between the 1020s and 1045. Others were carved out *de novo*: witness the way earldoms were carved out for Odda in the early 1050s and for Waltheof in the early 1060s. In addition, there were several 'debatable' shires which could be, and often were, transferred from one earldom to another. These findings open up important comparative questions which need to be explored; but it is hard to think of any other polity in the medieval west in which kings exercised such wide-ranging power over their mightiest subjects.²⁴

On the other hand, it would be misleading to suggest that earls had no influence over the structure of their earldoms, or that kings were immune to the political pressure that earls could bring to bear. On the

²¹ *VÆdR*, 50.

²² *ASC DE s.a.* 1065; *MS E*, ed. Irvine, 86.

²³ Here the key word is 'feng', the preterite third person singular of 'fon'. This verb has active meanings ('to take, seize, grasp, capture') but also passive connotations ('to receive, accept, assume, undertake'): J. R. Clark, *A Concise Anglo-Saxon Dictionary*, 4th edn (Cambridge, 1960), *s.v.*

²⁴ C. Wickham, *Problems in doing Comparative History*, Reuter Lecture 2004 (Southampton, 2005), 15–35, signals the potential for further work in this area, and makes a persuasive case for thinking that the manner in which West Saxon kings were able to distribute tenurial rewards among the lay nobility during the tenth century was crucial among the key factors which enabled them to expand and unify their kingdom whereas that of their French counterparts contracted and disintegrated.

contrary, precisely because there was so much at stake, earls must have done everything in their power to obtain territory from the king and to hold onto it once they had done so. This made it imperative for earls to maintain a high profile at the king's court where they could compete to secure the king's favour, or to control the king by force if they could not. Some kings were more susceptible to such pressure than others; and Edward the Confessor was more so than most. He was forced to restore Earl Godwine and his sons to power in 1052; to restore Earl Ælfgar to power in 1055 and 1058; and reluctantly to appoint Morcar earl of Northumbria in 1065. There are also grounds for thinking that the sons of Godwine effectively controlled Edward during the last few years of his reign.²⁵ In these circumstances, it was essential for earls to do whatever they could to strengthen their grip on the shires which lay within their earldoms, in particular by cultivating networks of clients and allies in the shires where they held office. This enabled the Leofwinesons and their rivals to augment their powers within their earldoms, but they also had the effect of intensifying the rivalry between earls, especially in the debatable territory of the Midlands where they were forced to compete with one another. The result was that political developments at the king's court and the shire courts were intimately connected: the Midland earldoms formed tectonic plates within the kingdom, and the friction between them meant that the kingdom as a whole was continually prone to seismic activity.

THE NATURE OF THE LEOFWINESEONS' POWER

The Ramsey *Liber Benefactorum* (written in the mid twelfth century, drawing on much earlier material) attributes a speech to Ealdorman Æthelwine in which the ealdorman complains about his burdensome responsibilities:

frequenter me seu angariarium regalium, seu exercitationem bellicarum, seu distribuendorum militibus stipendiorum, seu causarum judicialium, seu exercendæ in reos animadversionis, seu aliorum quorumlibet negotiorum forensium, in quibus difficile, vel numquam, potest offensa declinari, importuna vexatio defatigat.

[I am frequently worn out by the troublesome vexation of royal service, military expeditions, distributing military pay, judging pleas, conducting cases against

²⁵ Baxter, 'Edward the Confessor and the Succession Question', forthcoming.

the guilty and other public affairs—matters which are difficult if not impossible to decline without offence.]²⁶

Æthelwine's list of burdens provides useful hooks on which a discussion of late Anglo-Saxon comital power may be hung, for in what follows it will become apparent that the powers and responsibilities of ealdormen and earls were essentially political, military, financial and judicial—just as Æthelwine described them.

It will be as well to begin by addressing some problems of terminology. Broadly speaking, men of comital rank were styled *ealdorman* in vernacular sources until about 1016, and *eorl* from that point onwards.²⁷ The corresponding offices were known as *ealdordom* and *eorldom* respectively. *Eorl* is an Old English adjective meaning 'noble'. It was used to translate Danish *jarl* in Alfred's reign,²⁸ and was the title assigned to Scandinavian magnates in northern England during the tenth century.²⁹ During Cnut's reign there was an interesting phase of transition when both terms were in use: the words *ealdorman* and *eorl* are juxtaposed in Cnut's legislation;³⁰ a Danish earl named Hrani is styled *ealdorman* in a charter concerning a Herefordshire dispute which is datable 1016 × 1035;³¹ and Leofwine attests as *ealdorman* whereas Hákon and Eiláfr attest as *eorl* in an Evesham lease, datable 1016 × 1023.³² From about 1020, *eorl* became standard idiom, but *ealdorman* was not altogether forgotten, for the entry for 1035 in MS E of the *Anglo-Saxon Chronicle* carefully refers to Ælfhelm father of Ælfgifu as *ealdorman*, but styles Godwine and Leofric *eorl*.³³ The usual Latin term for *ealdordom* was *ducatus*,³⁴ and *dux* was the most common Latin translation of both *ealdorman* and *eorl*.³⁵ Ealdormen were also occasionally styled *comites* in tenth-century charters, but earls are rarely thus

²⁶ *Rams*, 34. For Æthelwine, who was ealdorman in East Anglia and the east Midlands, c. 962–92, see Hart, 'Athelstan "Half-King" and his Family'.

²⁷ Chadwick, *Anglo-Saxon Institutions*, 161–4; Banton, 'Ealdormen and Earls', 4–14; C. P. Lewis, 'The Early Earls of Norman England', *ANS* 13 (1991), 207–23, at 211–15.

²⁸ See for example *ASC A s.a.* 871; *MS A*, ed. Bately, 48.

²⁹ Ealdorman Æthelweard talks of Danish jarls as 'consules ... quos illi eorlas solent nominare': *Æthelweard*, 40. IV Eg 15 (Liebermann, i. 214) makes Oslac *eorl* but Æthelweard and Ælfhere *ealdormen*; however Oslac's office is still *ealdordom*.

³⁰ Cn 1020 Prol, 8, 9; II Cn 15.2, 18.1, 58.2, 71a (Liebermann, i. 273–4, 320–1, 350–1, 356–7).

³¹ S 1462.

³² S 1423.

³³ *ASC E s.a.* 1035; *MS E*, ed. Irvine, 76.

³⁴ T. Wright, *Anglo-Saxon and Old English Vocabularies*, 2nd edn, ed. and collated by R. P. Wülcker, 2 vols. (London, 1884), col. 110; S 937.

³⁵ The author of *Vita Ædwardi* styled English earls as *dux* throughout, whereas Baldwin V of Flanders is styled *comes* and *marchio*; but the author of *Encomium Emmae*

styled in the eleventh-century charters until shortly after 1066, when the presence of a Norman *dux* on the English throne made it politically expedient to use another word to describe English earls, necessitating the transition from *dux* to *comes*.³⁶ Strictly speaking, therefore, it is anachronistic to use the adjective 'comital' to describe matters relating to ealdormen and earls; but since the word is commonly used in the literature, it would be pedantic to use an alternative.

Was the transition from *ealdorman* to *eorl* merely semantic, or did the nature of the office itself change? These questions are easier to ask than to answer; but some preliminary suggestions may be offered here pending more thorough treatment.³⁷ The first point to make is that the reigns of Æthelred and Cnut straddled a long period during which major shifts in the structure of English government were taking place: in particular, shires and towns were becoming increasingly important administrative *foci*, with the result that sheriffs, port-reeves, and other royal officials below the rank of earl were becoming increasingly prominent agents of government.³⁸ In this respect, Cnut's conquest made little difference, for these processes of change simply continued. Other changes were more directly attributable to the Danish conquest. For instance, Cnut's decision to assign earldoms in the west Midlands to three of his henchmen undoubtedly necessitated the restructuring of the ealdordoms in this region; and the fact that Cnut's earls enjoyed estates, lordships, families and other interests throughout their Scandinavian homelands must have affected their attitude towards their English commands. The intrusion of Scandinavian earls and their followers into certain parts of the kingdom must also have affected the linguistic and cultural dynamics of shire courts in those regions during the first few years of Cnut's reign. Further, it has been suggested that the Viking wars and

Reginae called Godwine *comes*, Eiríkr *dux* and Baldwin of Flanders *marchio*: Lewis, 'Early Earls', 212.

³⁶ Banton, 'Ealdormen and Earls', 14; Lewis, 'Early Earls', 215. The following charters, which purport to date from 1000–1066, style ealdormen or earls as *comites*: S 909, 912, 958, 970, 972, 978, 982, 989–91, 995, 997, 1002, 1011, 1026, 1035–6, 1041, 1052, 1060, 1086–7, 1102, 1106–8, 1160. The majority of these documents are either spurious, late copies or post-Conquest translations of vernacular documents; none are originals.

³⁷ Professor Richard Sharpe, Dr Hugh Docherty and I intend to collaborate on a history of English ealdordoms and earldoms from the early tenth century to the late twelfth.

³⁸ For the growing importance of shires in the early eleventh century, see C. S. Taylor, 'The Origin of the Mercian Shires', *Gloucestershire Studies*, ed. H. P. R. Finberg (Leicester, 1957), 17–51; Blair, *Anglo-Saxon Oxfordshire*, 102–5. For the growing prominence of sheriffs and other royal officials below the rank of earl, see below, 121–3.

the settlement of Scandinavian noblemen and other 'new' men had a disruptive impact on the networks of lordship, kinship, and religious patronage which had formerly bound the English nobility together.³⁹ This line of argument can be pressed too far. There were clearly major upheavals in the upper ranks of the English nobility in the immediate aftermath of 1016, but the evidence for structural change to the English nobility over the longer term is less convincing.⁴⁰ Cnut's conquest brought significant, but not sweeping changes to England's ruling elite, and it was accompanied by the settlement of Scandinavian noblemen on an appreciable, but not overwhelming scale. Before long, new networks of aristocratic allegiance had formed to replace the old.⁴¹ After 1016, as after 1066, there was overwhelming continuity in the institutional structures of English government.⁴² There is also little evidence that the formal responsibilities of earls differed significantly from those of ealdormen.⁴³ All this makes it difficult to accept the argument that 'the men who were ealdormen differed fundamentally from the men who were earls, and that the move from ealdorman to earl was symptomatic of more profound changes within the administrative aristocracy'.⁴⁴

The political responsibilities of ealdormen and earls

Idealized portraits of ealdormen and earls often stress their wisdom. King Alfred famously exhorted his ealdormen and reeves to apply themselves to the pursuit of wisdom to make them better equipped for the administration of justice.⁴⁵ The Ramsey *Liber Benefactorum* describes Ealdorman Æthelwine as 'vir probatae prudentiae et discretionis' ('a man esteemed for wisdom and discretion').⁴⁶ In the Maldon poem, Ælfwine boasts that his grandfather, Ealhhelm, was 'wis ealdorman woruldgæsælig' ('a wise

³⁹ K. Mack, 'Changing Thegns: Cnut's Conquest and the English Aristocracy', *Albion* 16 (1984), 123–34, and Fleming, *Kings and Lords*, 21–52.

⁴⁰ For persuasive argument along these lines, see Williams, 'Danes and English', 1–22; Lawson, *Cnut*, 163–74. Keynes, 'Cnut's Earls', 78–80, 87–8 essays compromise.

⁴¹ Williams, *Kingship and Government*, 134–5.

⁴² Lawson, *Cnut*, 189–210; Wormald, *MEL*, 330–66, 449–65.

⁴³ Stenton, *Anglo-Saxon England*, 414. The similarities between the functions performed by ealdormen and earls will be evident in the examples that follow, which are drawn from either side of the 1016 divide.

⁴⁴ Fleming, *Kings and Lords*, 22.

⁴⁵ *Asser's Life of King Alfred together with the Annals of St Neots*, ed. W. H. Stevenson, repr. with an introduction by D. Whitelock (Oxford, 1959), ch. 106 (92–5).

⁴⁶ *Rams*, 80.

and prosperous ealdorman').⁴⁷ The *Vita Ædwardi* says that Godwine rose to prominence in Cnut's regime because the king judged him to be 'cum consilio cautissimum, tum bellicis rebus ... strenuissimum' ('the most cautious in counsel and most active in war').⁴⁸ According to MS D of the *Anglo-Saxon Chronicle*, Earl Leofric was 'swiðe wis for Gode 7 eac for worulde, þæt fremode eallre þisre ðeode' ('very wise in divine and temporal matters, and that benefited all this nation').⁴⁹

It is not hard to see why contemporaries wanted their ealdormen and earls to be wise. They were sometimes responsible for leading diplomatic missions, and for negotiating peace settlements with foreign invaders.⁵⁰ They also played a major role in the making of kings,⁵¹ and appointments to high office.⁵² The witness lists of royal diplomas suggest that ealdormen and earls vied with one another for the position of primacy among the king's advisors. Earls who attained this position probably assumed the king's responsibilities if the king were absent or incapacitated.⁵³ The leading earl may have been seated close to the king at meetings of the king's council, for there is some evidence that seating arrangements followed order of precedence.⁵⁴ Serious matters of state

⁴⁷ *Battle of Maldon*, ed. Scragg, line 219.

⁴⁸ *VEdR*, 8. ⁴⁹ *ASC D s.a.* 1057; *MS D*, ed. Cubbin, 75.

⁵⁰ II Æthelred was a treaty made with a Viking army in c. 994 'in accordance with the terms which Archbishop Sigeric and Ealdorman Æthelweard and Ealdorman Ælfric made': see S. Keynes, 'The Historical Context of the Battle of Maldon', in *The Battle of Maldon AD 991*, ed. D. Scragg (Oxford, 1991), 81–113, at 91–2, 103–7. For a diplomatic mission to Rome led by Earl Tostig, see *VEdR*, 52–6.

⁵¹ *Æthelweard*, 51, thought it a matter of course that Edward the Elder was elected by *primates*; *ASC E s.a.* 1035 makes earls Godwine and Leofric the leaders of factional groups which supported rival candidates for the throne; *VEdR*, 14 says that Godwine took the lead in urging the English to accept Edward as their king.

⁵² *ASC CE s.a.* 1044 implies that Earl Godwine influenced the decision to appoint Abbot Siward of Abingdon suffragan to the archbishop of Canterbury, and *VEdR*, 30, is explicit that Godwine attempted to have one of his kinsmen appointed archbishop of Canterbury.

⁵³ See the examples collected by Keynes, *Diplomas*, 214 n. 216, to which may be added the instructions given to Earl Thorkell by King Cnut in his first letter to the English: Cnut 1020 (Liebermann, i. 273–5).

⁵⁴ The twelfth-century *Lex Castrensis* says that such arrangements obtained in the households of Norwegian kings: J. Campbell, 'Some Agents and Agencies of the Late Anglo-Saxon State', in *Domesday Studies*, ed. J. C. Holt (Woodbridge, 1986), 201–18; repr. in his *Anglo-Saxon State*, 201–27, at 223; J. Campbell, 'Anglo-Saxon Courts', in *Court Culture in the Early Middle Ages: The Proceedings of the First Alcuin Conference*, ed. C. Cubitt (Brepols, 2003), 155–69, at 166. Similarly suggestive are the records of the council of London, 1075, which decreed that men should sit in accordance with their date of ordination, except for those who have more honourable seats by ancient custom or by the privileges of their churches: *Letters of Lanfranc*, 74.

are known to have been debated by earls. In 1047, Swein Estrithsson, king of Denmark, asked King Edward to send fifty ships to support him against Magnús, king of Norway, but the request was denied. According to D, this was because Magnús was a formidable enemy who possessed a powerful fleet, but John of Worcester goes further: he says that Godwine advised in favour of supporting Swein whereas Leofric counselled against this.⁵⁵ It would not be wildly anachronistic to think of Godwine and Leofric as leaders of political parties who debated matters of national import before large—sometimes very large—gatherings of the political community.⁵⁶

It is impossible to determine how much time earls spent at the king's court. Earls are almost invariably named in the witness lists of royal diplomas,⁵⁷ and this suggests that they were regularly present at the king's court when diplomas were issued.⁵⁸ Unfortunately, little is known about the itineraries of late Anglo-Saxon kings. The available evidence suggests they tended to have a strong southern bias, but then so too does the available evidence.⁵⁹ Nor is it known how often royal councils were held. There is some evidence that the Anglo-Saxon kings staged festal 'crown-wearings' at Christmas, Easter, and Pentecost;⁶⁰ but royal diplomas are known to have been issued at meetings of the *witenagemot* staged at different times and locations throughout the year.⁶¹ It is therefore impossible to estimate the amount of time earls spent at the king's court in any given year. It may be significant that, when the Northumbrian rebels attacked his hall in York in 1065, Tostig was 'in curia regis' and had been there for some time, detained by his love for the king and 'palatii negotiis'.⁶² On the other hand, King Edward had to recall Leofric and Siward from their earldoms to defend his cause in 1051.⁶³ There is also cumulatively strong evidence that earls were closely involved with administrative matters within their earldoms.⁶⁴

Ealdormen and earls were important among the centripetal forces that helped the kingdom of England to cohere during the tenth and

⁵⁵ ASC D s.a. 1047; JW ii. 544.

⁵⁶ Cf. Campbell, *Anglo-Saxon State*, 20–1, 247–68; Campbell, 'Anglo-Saxon Courts', 155–63.

⁵⁷ Keynes, *Atlas*, Tables 62, 69, 74.

⁵⁸ Keynes, *Diplomas*, 126–34.

⁵⁹ Campbell, 'United Kingdom of England', 47–8; Wormald, *MEL*, 436.

⁶⁰ M. Hare, 'Kings, Crowns and Festivals: the Origins of Gloucester as a Royal Ceremonial Centre', *Transactions of the Bristol and Gloucester Archaeological Society* 115 (1997), 41–78; Wormald, *MEL*, 445–6.

⁶¹ Wormald, *MEL*, 432–4 (Table 6.2).

⁶² *VEdR*, 76.

⁶³ ASC CDE s.a. 1051.

⁶⁴ Below, 89–118.

eleventh centuries.⁶⁵ The fact that Ealdorman Æthelweard 'consistently uses *Anglii*, *Anglia* for the English and England, to the extent of calling the West Saxons the West Angles', and that he describes the battle of *Ellendun* between the Mercians and West Saxons as *ciivilia bella* is indeed suggestive of a spirit of national unity.⁶⁶ The representation of Byrhtnoth's following in the *Battle of Maldon* is similarly suggestive. Among his companions were men from Northumbria and Mercia as well as East Anglia and Essex, and each level of English society from ealdorman through to ceorl was represented.⁶⁷ The loyalty of these men to Byrhtnoth is mirrored by his loyalty to the king: when Byrhtnoth proclaims his intention to defend his homeland, he refers not to the ealdordom of Essex but to the 'folc and foldan' ('people and country') of his lord, Æthelred.⁶⁸

There was a close relationship between national unity and magnate behaviour in the eleventh century just as there had been in the tenth. Domesday Book reveals a remarkable tendency for the men of a single village to commend themselves to different lords, often lords of national significance.⁶⁹ Domesday also proves that the estates of earls were not concentrated so as to form tenurial monopolies; rather, they were widely scattered such that earls were important, but not dominant, landholders in many localities. Such diffuse patterns of landholding and lordship aligned the interests of earls with those of the kingdom as a whole. The estates of the Godwinesons were truly national in their distribution; those of the house of Leofwine were widely scattered throughout England north of the Thames.⁷⁰ King Edward's 'stallers'—royal officials ranked between earl and sheriff—also had substantial and widespread tenurial interests, which in several cases straddled the Thames.⁷¹ The fact that prominent members of the English nobility had so much to lose in many parts of England may

⁶⁵ Whitelock, 'Dealings'; Banton, 'Ealdormen and Earls'; P. Stafford, *Unification and Conquest: a Political and Social History of England in the Tenth and Eleventh Centuries* (London, 1989).

⁶⁶ Æthelweard, 40; Campbell, 'Late Anglo-Saxon State', 10.

⁶⁷ A. Williams, 'The Battle of Maldon and *The Battle of Maldon*: History, Poetry and Propaganda', *Medieval History* 2 (1992), 35–44; J. Campbell, 'England, c. 991', in *The Battle of Maldon: Fiction and Fact*, ed. J. Cooper (London, 1993), 1–17; repr. in his *Anglo-Saxon State*, 157–78, at 177.

⁶⁸ *Battle of Maldon*, ed. Scragg, lines 52–4.

⁶⁹ Campbell, 'Late Anglo-Saxon State', 18.

⁷⁰ Wormald, 'Engla Lond', 368; Wickham, *Problems*, 26–7; below, Chapter 4 and Plates 1 and 2.

⁷¹ Mack, 'Changing Thegns'; Williams, *Kingship and Government*, 126–7.

also help to explain why they were horrified by the prospect of civil war. Ælfric contrasted 'just' wars, such as those waged against invading heathens, with civil war which was 'unjust'.⁷² John of Worcester says that Earl Leofric was prominent among those who sought a peaceful solution to the crisis at Gloucester in 1051.⁷³ MS D of the *Anglo-Saxon Chronicle* says that civil war was averted in 1052 because 'hit wes mæst eallan lað to feohtanne wið heora agenes cynnes mannum' ('it was hateful to almost all of them to fight against men of their own race'), and because men were concerned that civil war would leave the kingdom more vulnerable to foreign invasion.⁷⁴ The *Vita Ædwardi* says that King Edward was reluctant to oppose the Northumbrian rebels in 1065, partly because 'in eadem gente horrebat quasi bellum ciuile' ('in that race there was horror at the prospect of civil war').⁷⁵ Ealdormen and earls formed part of an elite which had a strong sense of collective identity and responsibility.

The extent to which earls and earldoms were 'potential vehicles for memories of older political units and identities' is debatable.⁷⁶ As we have seen, the *Anglo-Saxon Chronicle* says that Cnut divided the kingdom into four in 1017, each division corresponding with a former kingdom: Cnut took Wessex for himself and assigned East Anglia, Mercia and Northumbria to Thorkell, Eadric, and Eiríkr respectively.⁷⁷ It has been argued that these arrangements had a significant impact on the structure of English government. One recent account stresses the significance of the breakdown of England into four regional communities—Northumbria, East Anglia and the eastern Midlands, western Mercia and Wessex. Each had its own elite which was, to an extent at least, independent of others, and coalesced around powerful patrons and protectors. Each had its own regional government.⁷⁸

The analysis of Midland earldoms set out in the first section of this chapter makes this line of argument difficult to sustain. There

⁷² Ælfric's *Lives of Saints*, ed. Skeat, ii. 112–4; J. E. Cross, 'The Ethic of War in Old English', *England Before The Conquest: Studies in Primary Sources Presented to Dorothy Whitelock*, ed. P. Clemoes and K. Hughes (Cambridge, 1971), 269–82, esp. 272.

⁷³ JW ii. 560.

⁷⁴ ASC D s.a. 1052; MS D, ed. Cubbin, 72–3; cf. ASC D s.a. 1051.

⁷⁵ VÆdR, 80.

⁷⁶ P. Stafford in *The Blackwell Encyclopaedia of Anglo-Saxon England*, ed. M. Lapidge, J. Blair, S. Keynes, and D. Scragg (Oxford, 1999), 152; cf. Wormald, 'Engla Lond', 365–6; Campbell, 'United Kingdom of England', 33–5.

⁷⁷ ASC CDE s.a. 1017.

⁷⁸ N. Higham, *The Death of Anglo-Saxon England* (Stroud, 2000), 68.

were five earldoms with a territorial stake in the Midlands, not two. None of them constituted anything resembling a 'regional government'. The manner in which Midland shires were transferred between these earldoms cannot have strengthened 'regional communities' or solidarities: quite the reverse. Indeed, the available evidence suggests that the earl's job was to resist, not encourage, separatist tendencies.

Accounts of the Northumbrian rebellion which resulted in Tostig's downfall contain several unity motifs.⁷⁹ It is indeed striking that of the 'three 1065 Northumbrian ringleaders, one had an English name, and two had English patronymics'; and that the Northumbrians demanded 'a more responsive earl, not independence'.⁸⁰ When the rebels marched south towards Northampton, their route would have taken them through several shires which formed part of the 'Northumbrian' earldom. This is a reminder that the administrative integration of Northumbria with the east Midlands formed part of a strategy for binding the north and south together.⁸¹ The Northumbrians were eventually appeased at a meeting convened at Oxford, which is significant because Oxford was the venue for a sequence of great meetings convened when the unity of England was at issue.⁸² When Harold 'renewed the law of Cnut' in Oxford in 1065 he was evoking a legislative text whose ideological purpose had been to acknowledge some of the distinct legal traditions of former kingdoms without prejudice to the idea of the *gens Anglorum*. Harold, like Cnut, was reaffirming the essential unity of the English state following a period of trauma.

Freeman could hardly have summed up the position better:

It is quite a mistake, I think, as has often been thought, that the position of these viceroys at all proves that England was at this time tending towards separation. It was in truth tending towards closer union, and the position of the great Earls is really one of the signs of that tendency.⁸³

Ealdorman Æthelweard's reflections on military leadership

Not many texts enable us to penetrate to the thought-world of late Anglo-Saxon noblemen, but an historical narrative written by Ealdorman

⁷⁹ B. Wilkinson, 'Northumbrian Separatism in 1065–1066', *Bulletin of the John Rylands Library* 23 (1939), 504–26.

⁸⁰ Wormald, 'Engla Lond', 365–6.

⁸¹ Whitelock, 'Dealings', 84–5.

⁸² Baxter, 'Commended Men', 36–7; Campbell, *Anglo-Saxon State*, 23, 39.

⁸³ *FNC*, ii. 51; see also Stenton, *Anglo-Saxon England*, 414.

Æthelweard in the late tenth century constitutes a rare and valuable exception. In what follows, I briefly set out his credentials as an historian before considering some aspects of his political philosophy.

Until relatively recently, historians tended to treat his *Chronicon* either as a quarry for chronological detail, or as evidence of the textual history and transmission of the version of the *Anglo-Saxon Chronicle* which Æthelweard used as a source.⁸⁴ Some of this literature has proceeded from the assumption that Æthelweard did little more than render into 'barbarous' Latin the written sources he had before him; that Æthelweard himself was not capable of integrating additional material into his text or editing material out; and that variations between the *Chronicon* and extant texts of the *Anglo-Saxon Chronicle* must therefore be explained in terms of the relationship between hypothetical exemplars which Æthelweard must have used.

Recent work has begun to question these assumptions.⁸⁵ William of Malmesbury may have underestimated the degree of learning displayed in Æthelweard's Latin.⁸⁶ Textual relationships do not prove that Æthelweard worked from a source more venerable than those used by all the surviving manuscripts of the *Anglo-Saxon Chronicle*. His omissions relate primarily to ecclesiastical matters and the fortunes of kingdoms other than the West Saxons, and could have been omitted by Æthelweard for the simple reason that he and his intended audience were primarily interested in the deeds of their ancestors. Equally, material unique to the *Chronicon* need not imply that Æthelweard enjoyed a uniquely full version of the *Anglo-Saxon Chronicle* to 892 otherwise denied to posterity: some of this matter may have been the fruit of

⁸⁴ F. M. Stenton, 'Æthelweard's Account of the Last Years of King Alfred's Reign', in *Preparatory to Anglo-Saxon England: Being the Collected Papers of Frank Merry Stenton*, ed. D. M. Stenton (Oxford, 1970), 8–13; 'The South-western Element in the Old English Chronicle', in *Preparatory*, ed. Stenton, 106–15; E. E. Barker, 'The Anglo-Saxon Chronicle used by Æthelweard', *Bulletin of the Institute of Historical Research* 60 (1967), 74–91.

⁸⁵ See, most recently, P. Wormald, 'Æthelweard (d. 998?)', in *ODNB*, together with the references collected by S. Keynes, *Anglo-Saxon England: A Bibliographical Handbook for Students of Anglo-Saxon History*, Anglo-Saxon Norse and Celtic Guides, Texts and Studies 1 (Cambridge, 2003), 16. To these may be added M. Townend, *Language and History in Viking Age England: Linguistic Relations between Speakers of Old Norse and Old English* (Turnhout, 2002), 110–28; and S. Ashley, 'The Lay Intellectual in Anglo-Saxon England: Ealdorman Æthelweard and the Politics of History', in *The Lay Intellectual in Early Medieval Europe*, ed. P. Wormald and J. Nelson (forthcoming).

⁸⁶ M. Winterbottom, 'The Style of Æthelweard', *Medium Ævum* 36 (1967), 109–18.

his own curiosity, research, and historical imagination.⁸⁷ Similarly, that part of the *Chronicon* which deals with the period between 892 and the death of King Edmund, which is evidently independent of the *Anglo-Saxon Chronicle*, need not have been based solely on a text 'dating from the period when there were still veterans of the Danish wars alive to supply additional information'.⁸⁸ Æthelweard may well have supplemented his written sources with oral tradition,⁸⁹ and material acquired through correspondence.⁹⁰ In short, there is a strong case for reading Æthelweard's *Chronicon* as a work of history, and not merely as a poor translation of a lost version of the *Anglo-Saxon Chronicle*; and when read in this way, the work represents a unique opportunity to sample the historical reflections of a late Anglo-Saxon ealdorman, and thus to recover something of contemporary secular political thought.

Æthelweard was much concerned with the military activities of royal officials, especially those of reeves and ealdormen. The *Chronicon* is the only source which records the name of the reeve, Beaduheard, slain during the first recorded Viking raid on southern England in the late 780s (Beaduheard had mistaken the Vikings for merchants, and was trying to make them go to the king's residence at Dorchester, presumably to get them to pay toll).⁹¹ The *Chronicon* also uniquely records that Hun, ealdorman of Somerset, was killed at the battle of *Ellendun* in 825 and was buried at Winchester.⁹² Both Æthelweard and the *Anglo-Saxon Chronicle* record the death of Ealdorman Æthelhelm of Dorset at Portland in 840, but Æthelweard supplies the additional information

⁸⁷ J. Bately, *The Anglo-Saxon Chronicle: Texts and Textual Relationships*, Reading Medieval Studies 3 (Reading, 1991), 26–31, 41–53.

⁸⁸ *Æthelweard*, p. xxxii.

⁸⁹ *Æthelweard*, 50, refers to events in the 890s which were still 'vaunted by aged men' in his time, and to others such as the battle of *Brunandun* which were still talked of 'by the common people' (*Æthelweard*, 54). He also told Matilda that the more recent information concerning their family was derived from memory and from the teachings of their *parentes* (*Æthelweard*, 1).

⁹⁰ The prologue also enjoins Matilda to send news of the descendents of Ælfgifu, the daughter of King Edward who married a certain king near the Alps since she was better placed to do so (*Æthelweard*, 2). It has been suggested that the annal for 982 in the Chronicle may well have resulted from such correspondence: see L. Whitbread, 'Æthelweard and the Anglo-Saxon Chronicle', *EHR* 74 (1959), 577–89. E. Van Houts, 'Women and the Writing of History in the Early Middle Ages: the Case of Abbess Matilda of Essen and Aethelweard', *Early Medieval Europe* 1 (1990), 53–68 stresses Matilda's role in the production of the *Chronicon*.

⁹¹ *Æthelweard*, 27; cf. *ASC A s.a.* 789; *Two of the Saxon Chronicles Parallel*, ed. J. Earle and C. Plummer, 2 vols. (Oxford, 1892–9), ii. 59.

⁹² *Æthelweard*, 29; cf. *ASC ACDE s.a.* 825; and note Keynes, *Atlas*, Table 22 (1 of 6).

that his companions fell with him.⁹³ Only Æthelweard records that Eanwulf, ealdorman of Somerset died and was buried at Glastonbury in 867.⁹⁴ Æthelweard also departs from the *Anglo-Saxon Chronicle* by saying that King Edmund's body was buried at Bury St Edmund's in 870, and that Ivar king of the Danes died in the same year.⁹⁵

Æthelweard's account of the events between 871 and 899 is especially interesting. The material unique to the *Chronicon* seems to stress two significant points: that the defence of Wessex was not attributable to King Alfred alone, and that ealdormen played an important role in the fighting. In the annal for 871, the *Anglo-Saxon Chronicle* records that Ealdorman Æthelwulf defeated the Danes at Englefield, but was subsequently killed at Reading. Æthelweard adds a rhetorical flourish: he says that Ealdorman Æthelwulf intercepted the Danes at Englefield 'et quamuis pauca manus, sed fortia animi receptacula manent' ('and although his band was small, their reserves of courage were mighty'). Æthelweard also says that, after the battle the ealdorman's dead body was carried away secretly and taken into Mercia to the place called *Northworthig*, but in the Danish language *Deoraby* (Derby).⁹⁶ The same annal in the *Anglo-Saxon Chronicle* records that Alfred fought against the whole Danish army at Wilton with a small force and eventually lost the battle. Remarkably, Æthelweard does not mention this battle by name: instead he describes a battle at Reading where the English army was small owing to the absence of the king, who was at that time attending to the obsequies of his brother. Æthelweard goes on to say that, although the English were not at full strength, they courageously repelled the enemy some distance before eventually succumbing to the Danes.⁹⁷ The annal for 878 in the *Anglo-Saxon Chronicle* gives a famous account of the nadir of King Alfred's fortunes. The king was forced to journey through woods and fens accompanied by a small force: this is presumably in a part a rhetorical device, used to heighten the dramatic force of Alfred's subsequent achievements. Æthelweard rather spoils the story. He points out that Ealdorman Æthelnoth of Somerset and his men accompanied King Alfred; indeed, it was they who helped construct the fort at Athelney and enabled the king to hold out against the barbarians. He also records that a certain Odda, ealdorman of Devon, held a fortress

⁹³ Æthelweard, 30; cf. ASC ACDE s.a. 840.

⁹⁴ Æthelweard, 36; cf. ASC ACDE s.a. 867; PASE (2005), s.n. 'Eanwulf 4'.

⁹⁵ Æthelweard, 36; cf. ASC ACDE s.a. 870; PASE (2005), s.n. 'Ivar 1'.

⁹⁶ Æthelweard, 37; cf. ASC ACDE s.a. 871; Townend, *Language and History*, 117–18.

⁹⁷ Æthelweard, 39–40; cf. ASC ACDE s.a. 871; Asser, ch. 42.

under Danish assault, killing the barbarian king and eight hundred of his men.⁹⁸ Both Æthelweard and the *Anglo-Saxon Chronicle* say that King Alfred stood sponsor to Guthrum's baptism after the triumph at Edington; but unlike the *Anglo-Saxon Chronicle*, Æthelweard recalls that Ealdorman Æthelnoth purified him at Wedmore after baptism. Elsewhere in the *Chronicon*, Æthelweard departs from the *Anglo-Saxon Chronicle* by stating more explicitly that Alfred's peace treaties with the Danes involved the payment of tribute.⁹⁹ These details are particularly arresting, because Æthelweard was himself among those who negotiated a peace treaty which involved a tribute payment with the Danes in the early 990s; and in 994, he escorted King Oláfr Tryggvason to Andover where King Æthelred stood sponsor to Oláfr at his baptism. It is quite possible that Æthelweard wrote about particular incidents during Alfred's reign with quickened interest because he had experienced similar events himself.¹⁰⁰

Æthelweard's version of the final years of Alfred's reign is more obviously independent of the *Anglo-Saxon Chronicle*. Consider the annal for 893. The *Anglo-Saxon Chronicle* again focuses on King Alfred's actions: it was he who collected the army, positioned it between the two enemy forces, and divided his army into two so that half its men were at home and half on active service. Æthelweard reports none of this. He records that a force led by Edward Ætheling attacked the Danes at Farnham, wounded their king, drove them across the Thames and besieged them at Thorney. He calls Æthelred, ealdorman of Mercia, *rex* and states that he gave Edward assistance. Æthelweard also supplies details of the heroics of ealdormen at the battle of Buttington shortly afterwards:

Æðelm cum dux præclarus publice parauit equestri, nec non Æðelnoð duce una Anglorum cum occidentali insequitur exercitu; post adest quorum rex Eðered Myrciorum, substans cum impetu magno.

⁹⁸ *Æthelweard*, 42–3; cf. *ASC ACDE s.a.* 878; *Asser*, chs. 52–6.

⁹⁹ *Æthelweard*, 43; cf. *ASC ACDE s.a.* 878. For instance, *ASC ACDE s.a.* 872 records that the Mercians made peace with the Danish army; *Æthelweard*, 40, adds: 'Myrcii confirmant cum eis fæderis pactum *stipendiaque statuunt*' (my italics). *ASC ACDE s.a.* 876, 'the king made peace with the enemy and gave them hostages'; *Æthelweard*, 41, 'rex pactum cum eis pacis confirmat, *simulque pecuniam dando*'.

¹⁰⁰ II Atr; *ASC CDE s.a.* 994. Campbell (*Æthelweard*, p. xiii n. 2) tentatively dated Æthelweard's *Chronicle* to the period 978–88 since the text refers to King Æthelred's deeds and refers to Count Arnulf of Flanders (d. 988) in the present tense, but this *terminus ante quem* depends on the insecure assumption that Æthelweard knew of Arnulf's death at the time of writing; and this being so, the possibility that Æthelweard was writing much later should be left open.

[The famous Ealdorman Æthelhelm made open preparation with a cavalry force, and gave pursuit together with the West-Saxon army under the generalship of Æthelnoth. And King Æthelred of the Mercians was afterwards present with them, being at hand with a large army.]¹⁰¹

Against this background, it is less surprising that Æthelweard failed to record the events of 895–6, which represent the climax of the account of Alfred's defence of Wessex in the *Anglo-Saxon Chronicle*. Summing up King Alfred's achievements, Æthelweard remarked that King Alfred had been 'immobilis occidentalium postis' ('unshakeable pillar of the West Saxons') and 'acer in armis' ('active in war'), but it was the pursuit of learning that Æthelweard most admired in Alfred: he was 'diuinis quippe super omnia documentis imbutus' ('steeped in sacred literature above all things').¹⁰² The phrase 'acer in armis' looks like faint praise by comparison with Æthelweard's treatment of other kings. For example, whereas the *Anglo-Saxon Chronicle* subjects King Offa to something close to 'damnatio memoriae', Æthelweard describes him as 'vir mirabilis'.¹⁰³

Taken together, these examples make it tempting to suggest that Æthelweard was not only an historian but a revisionist one at that. He was acutely interested in the military activities and achievements of his predecessors in office, and was keen to stress that the military achievements of the West Saxons were importantly dependent upon ealdormen. (There are interesting parallels between these ideas and those expressed in the writings of Ælfric, whose work was known to and patronized by Æthelweard and his family.)¹⁰⁴ Of course, none of this

¹⁰¹ ASC ACDE s.a. 893; Æthelweard, 49–50. The fact that Edward receives 'praise unparalleled in Anglo-Saxon historiography' led Campbell (*Æthelweard*, p. xxxii) to suspect that Æthelweard used a version of the chronicle produced under King Edward the Elder's auspices.

¹⁰² Æthelweard, 51.

¹⁰³ Campbell, 'England, c. 991', 166; Æthelweard, 24.

¹⁰⁴ I hope to develop this point elsewhere. Especially interesting in this connection is the fragment attributed to Ælfric known as *Wyrdrwiteras*. This text uses a number of examples drawn from the Old Testament and the historians of late Antiquity to demonstrate that there were precedents for kings choosing to delegate responsibility for military leadership. 'Historians who write about kings tell us that ancient kings in former times considered how they might alleviate their burdens, because a single man cannot be everywhere, and sustain all things at once, though he might have sole authority. Then the kings appointed ealdormen under them, as support for themselves, and they often sent them to many battles, as it is written in heathen books and in the Bible; and the ealdormen conquered the attacking enemies, as we shall recount ...' This proposition is closely related to the historical argument developed throughout Æthelweard's *Chronicon*—though it was probably written after Æthelweard's death. For the text of *Wyrdrwiteras*, see *Homilies*

proves that Æthelweard was himself a great leader in war. Æthelweard may have drawn inspiration from the heroics of his predecessors in office, but neither he nor his kinsmen appear to have been able to emulate them. Æthelweard took a leading role in negotiating a peace agreement with the Danes in 994; his son Æthelmær submitted to Swein at Bath with the western thegns in 1013; his grandson Æthelweard was killed in the purge of 1017; and Æthelweard, Æthelmær's son-in-law, was outlawed in 1020 for reasons which suggest that he was not a reliable element in Cnut's political and military arrangements in the aftermath of his conquest of England.¹⁰⁵ Æthelweard's reflections are perhaps therefore a better guide to the ideals of military leadership than to their realities. It is to these that we may now turn.

Military leadership

The accounts of the crisis of 1051 illustrate how armies could be mobilized and led by earls with unusual clarity. Following an incident at Dover, Earl Godwine 'ongan þa gadrian folc ofer eall his eorldom' ('began to gather people from all over his earldom'), and his sons Harold and Swein did likewise.¹⁰⁶ John of Worcester says that Godwine's earldom comprised Kent, Sussex, and Wessex; that Swein's earldom comprised Oxfordshire, Gloucestershire, Herefordshire, Somerset, and Berkshire; and that Harold's earldom comprised Essex, East Anglia, Huntingdonshire, and Cambridgeshire.¹⁰⁷ King Edward's response to this show of force was to send for Earl Leofric and Earl Siward requesting them to bring 'heora gencges' ('their troops'). At first they came to him with 'medemum fultume' ('a small force'), but when they registered the scale of the crisis, they sent north throughout their earldoms and called out a 'mycele fyrde' ('great fyrd').¹⁰⁸

The crisis of 1051 was in many ways exceptional, but it was not unusual for ealdormen and earls to mobilize and lead armies. References to earldoms functioning as military units are plentiful. Prior to the battle of Fulford Gate, Earl Eadwine and Earl Morcar assembled 'eorll of heora eorldome swa mycel werod swa hi begitan mihton' ('as large a force as

of Ælfric: A Supplementary Collection, ed. J. C. Pope, 2 vols., EETS, o.s. 259–60 (London, 1967–8), ii. 728–32; the translation is that of Keynes, *Diplomas*, 207 n. 194.

¹⁰⁵ ASC CDE *s.a.* 994, 1013, 1017, 1020.

¹⁰⁶ ASC D *s.a.* 1051; MS D, ed. Cubbin, 70.

¹⁰⁸ ASC D *s.a.* 1051; MS D, ed. Cubbin, 70.

¹⁰⁷ JW *s.a.* 1051 (ii. 558).

they could muster from their earldom').¹⁰⁹ Although bishops, abbots, high-reeves, and sheriffs are also known to have led armies, ealdormen and earls did so more frequently.¹¹⁰ Several earls and ealdorman were killed in battle.¹¹¹ The death of leaders in battle would often be decisive. The *Anglo-Saxon Chronicle* was highly critical of Ealdorman Ælfric who feigned sickness before a battle in 1003, for 'þonne se heretoga wacað þonne bið eall se here swiðe gehindrad' ('when the commander gives way, the whole army is greatly hindered').¹¹² Ealdormen and earls also commanded fleets. In 992, all the ships in the kingdom that were of any value were assembled under the command of an earl, an ealdorman, and two bishops.¹¹³ In 1052, Earl Ralph and Earl Odda were appointed *beafodmannum* to the fleet responsible for preventing the Godwinesons from returning from exile.¹¹⁴ At that time, Ralph's earldom comprised a group of shires in the south-east Midlands including Middlesex, and his responsibilities are likely to have included command of the king's fleet, then stationed at London.¹¹⁵

Important among the military responsibilities of ealdormen and earls was that of guarding England's borders. The earls of Mercia were heavily preoccupied by the Welsh.¹¹⁶ Welsh sources record a series of cross border raids and skirmishes in the late tenth and early eleventh centuries, often led by Mercian ealdorman and earls, which go unnoticed in English sources, perhaps because they were an endemic element in border politics.¹¹⁷ However, the growing power of the Welsh king Gruffudd ap Llywelyn resulted in a sequence of events which could not fail to register in English sources.¹¹⁸ Gruffudd became heir to

¹⁰⁹ *ASC C s.a.* 1066; *MS C*, ed. O'Brien O'Keeffe, 122.

¹¹⁰ Bishops: *ASC CDE s.a.* 992, 1016, *CD s.a.* 1056. Abbots: *ASC A s.a.* 903, *E s.a.* 1066. High reeves: *ASC A s.a.* 1001, *CDE s.a.* 1004, 1010 (Ulfcytel's status is uncertain). Sheriffs: below, 121. Earls: *ASC CDE s.a.* 991, 1009, 1015, 1016, 1051, 1052, 1055, 1063, 1065, 1066.

¹¹¹ *ASC CDE s.a.* 991 (Byrhtnoth), 1016 (Ælfric of Hampshire, Godwine, ealdorman of Lindsey, Ulfcytel of East Anglia, Æthelweard son of Ealdorman Æthelwine of East Anglia and 'all the nobility of England' at *Assandun*), 1066 (Tostig at Stamford Bridge; Harold, Leofwine and Gyrrh at Hastings).

¹¹² *ASC CDE s.a.* 1003; *MS C*, ed. O'Brien O'Keeffe, 90.

¹¹³ *ASC CDE s.a.* 992.

¹¹⁴ *ASC E s.a.* 1052; *MS E*, ed. Irvine, 82.

¹¹⁵ Williams, 'The King's Nephew', 330–1.

¹¹⁶ Lewis, 'English and Norman Government', chapter 4; Maund, *Ireland, Wales and England*, 120–55.

¹¹⁷ For example, *Brut y Tywysogion*, ed. Jones, *s.a.* 978, 1022; *Annales Cambriae*, ed. Williams ab Ithel, *s.a.* 943, 951, 967, 983, 1011, 1022.

¹¹⁸ *ASC C s.a.* 1039, *D s.a.* 1049, *D s.a.* 1052, *C s.a.* 1053, *CD s.a.* 1055, *D s.a.* 1058, *DE s.a.* 1063.

his father's northern kingdom Gwynedd in 1039, rapidly established a power base in the north, fought a series of campaigns against the southern kingdom of Dyfed, and by 1055 became the first Welsh king ever to hold sway throughout the whole of Wales.¹¹⁹ The problem posed by Gruffudd was a major concern for the house of Leofwine, especially after 1039 when Eadwine, Leofric's brother, was killed in battle with Gruffudd.¹²⁰ Notwithstanding his uncle's fate, Earl Ælfgar formed an alliance with Gruffudd, joining forces with him to secure reinstatement from exile in 1055 and again in 1058. According to Orderic Vitalis, this alliance was cemented by the marriage of Ælfgar's daughter Ealdgyth to Gruffudd.¹²¹ This alliance fuelled the rivalry between the Leofwinesons and the Godwinesons. Earl Harold assumed command of Herefordshire following the debacle of 1055, and the following year he launched a campaign against Gruffudd, eventually forcing him to swear an oath of allegiance to King Edward.¹²² In 1063, probably just after Ælfgar's death, Harold and Earl Tostig led a combined navy and land force into Wales; and according to the *Anglo-Saxon Chronicle* the kingdom was subdued, Gruffudd was killed by his own men, and his head was presented to King Edward by Harold.¹²³ As if to complete the destruction of the Mercian-Welsh alliance, Harold married Gruffudd's widow.¹²⁴

The power of the Old English government was underpinned by the threat or use of violence, often dispensed by earls. Earl Godwine played a leading role in the capture and execution of Ætheling Alfred and members of his entourage in 1036—a major, and bloody, operation.¹²⁵ When King Harthacnut sent his housecarls throughout the kingdom in 1041 to collect *tributum*, two of them were killed in Worcester. The king's response was to send Earl Leofric, Earl Godwine, Earl Siward, Hrani of the *Magonsete* and the king's housecarls with a great army to burn the city and lay waste to the whole region.¹²⁶ When King Edward learned that Queen Emma was plotting against him in

¹¹⁹ Maund, *Ireland, Wales and England*, esp. 64–8.

¹²⁰ *ASC* C s.a. 1039, D s.a. 1052; JW, ii. 528, 566.

¹²¹ *ASC* CD s.a. 1055, D s.a. 1058; OV, ii. 138, 216, and cf. Orderic in WJ, ii. 160–2; Maund, 'Welsh Alliances', 181–90; below, 299–300.

¹²² *ASC* C s.a. 1056.

¹²³ *ASC* D s.a. 1063.

¹²⁴ OV, ii. 138, 216.

¹²⁵ *ASC* CD s.a. 1036; *MS* C, ed. O'Brien O'Keeffe, 106; JW s.a. 1036 (ii. 522, 530–2); *EER*, 40–6; *V&EdR*, 32–4; *Inventio et Miracula Sancti Vulfranni*, ed. Dom J. Laporte, Mélanges Publiés par la Société de l'Histoire de Normandie, 14e s. (Rouen, 1938), 37 (trans. E. van Houts, *The Normans in Europe* (Manchester, 2000), 113); WJ, ii. 106; WP, 4.

¹²⁶ JW s.a. 1041 (ii. 532).

November 1043, he rode from Gloucester to Winchester with Leofric, Godwine, and Siward 'mid heora genge' ('with their retinue').¹²⁷ In 1051, King Edward ordered Godwine to go to Dover 'mid unfriða' ('with war') to punish the townsmen for an incident involving Eustace of Boulogne and his entourage (Godwine refused to do so, causing the crisis to escalate).¹²⁸ These were not isolated incidents. Late Anglo-Saxon kings frequently used harrying and other forms of violence to mete out political punishment.¹²⁹

Wealthy and well-connected magnates were sometimes able to recruit armies to serve their private needs at the king's expense. Osgod *Clapa* was exiled in 1046, but he recruited a fleet in Flanders before making two landings on the English coast in 1049.¹³⁰ In the same year, Earl Swein, who had also been in exile in Flanders, captured and murdered Earl Beorn on one of his eight ships, before being declared a *niðing*.¹³¹ In 1052, Godwine and Harold acquired fleets in Flanders and Ireland respectively before sailing to the south coast of England where they mobilized (and press-ganged) further recruits; they then sailed up the Thames, forcing King Edward to restore them to office.¹³² In 1055, Earl Ælfgar was exiled, but acquired a fleet of eighteen ships in Ireland and, with the help of King Gruffudd, sacked Hereford, killing four or five hundred men. Ælfgar was promptly reinstated, and his fleet went to Chester and waited there for its pay.¹³³ There followed a repeat performance three years later.¹³⁴ Between 1065 and 1066, Tostig apparently assembled one fleet in Flanders and another in Scotland.¹³⁵

It would be idle to deny that the ability of earls to mobilize private armies could seriously undermine royal authority. However, one should not lose sight of the objectives of the magnates who commanded them. Tostig presumably intended to depose his brother in 1066; but Swein, Harold, Godwine and Ælfgar had no intention of removing Edward from power: their objective was simply to recover the privileges associated with comital authority. As William of Poitiers observed of the English 'summates' ('nobility'): 'se quidem solitos esse regi seruire,

¹²⁷ *ASC D s.a.* 1043; *MS D*, ed. Cubbin, 67.

¹²⁸ *ASC E s.a.* 1051; *MS E*, ed. Irvine, 81.

¹²⁹ Baxter, 'Commended Men', 34 n. 75.

¹³⁰ *ASC CDE s.a.* 1049. 'D' says that Osgod's fleet comprised thirty-nine ships; JW, ii. 550 has 'twenty-nine'.

¹³¹ *ASC CDE s.a.* 1049.

¹³² *ASC CDE s.a.* 1052; *VÆdR*, 38–46.

¹³³ *ASC CDE s.a.* 1055.

¹³⁴ Above, 46–7.

¹³⁵ *ASC CDE s.a.* 1065–6.

regem dominum habere uelle' ('they were accustomed to obey a king and wished to have a king as their lord').¹³⁶

The earl's third penny

According to the *Instituta Cnuti*, which may have been compiled during the Conqueror's reign, earls were given at least two important incentives for doing their job: comital manors, and the third penny.

Comitis rectitudines secundum Anglos iste sunt communes cum rege: tertius denarius in uillis ubi mercatum conuenerit et in castigatione latronum; et comitales uillas que pertinent ad comitatum eius.

[According to the English, these customary rights of the earl are shared with the king: the third penny in villis where a market meets, and for the punishment of thieves; and in the comital villis which pertain to his earldom.]¹³⁷

Comitales uillae will be considered in Chapter 4. This section considers the third penny: its structure, and its implications for late Anglo-Saxon government.

There is an interesting, though late, statement of the obligations assumed by earls in return for the third penny in the tenth-century kingdom of Norway.¹³⁸ On this basis, it has been suggested that the third penny originated in Scandinavia.¹³⁹ However, there are good reasons for supposing that the idea of diverting one third of particular royal revenues to agents of royal government may have been borrowed from Francia. Frankish law codes contain numerous references to *fredus*, a fine for breach of the king's protection which was shared between the king who received two-thirds and the *grafio* (judge) who received the remaining third.¹⁴⁰ Carolingian counts were also entitled to a third of the penal fines and other compositions paid to the king, and they may also have received

¹³⁶ WP, 148–9; Williams, *Kingship and Government*, 149–50.

¹³⁷ In Cn iii. 55 (Liebermann, i. 614–5). For the text, see Wormald, *MEL*, 404–5 (who suggests it could date to the Conqueror's reign); and B. O'Brien, 'The *Instituta Cnuti* and the Translation of English Law', *ANS* 25 (2003), 177–98 (who prefers a later date).

¹³⁸ Baxter, 'Commended Men', 33 n. 64.

¹³⁹ H. G. Richardson and G. O. Sayles, *The Governance of Medieval England* (Edinburgh, 1963), 25–6.

¹⁴⁰ *Pactus Legis Salicae*, ed. K. A. Eckhardt, MGH *Legum Sectio I, Legum Nationum Germanicarum*, IV. 1 (Hannover, 1962), 13.6, 24.7, 35.9, 50.3, 53.2–8, 88, 92; *Lex Ribuariorum*, ed. F. Beyerle and R. Buchner, MGH *Legum Sectio I, Legum Nationum Germanicarum*, III.2 (Hannover, 1954), 48.1, 73.1, 91.2.

a third of toll.¹⁴¹ If the concept of the third penny was imported to England from Francia and then re-exported to Scandinavia, it is unlikely to have been the only institution to have followed that route.¹⁴²

There is clear evidence that the principle on which the third penny was based—that a share of certain royal renders should be diverted to the agents of state responsible for collecting those renders and for mediating royal government in the localities—was known and deployed in England from at least the late ninth century. Alfred's code implies that shares of certain fines could be assigned to local officials.¹⁴³ A Worcester charter, datable 884 × 901, records a division of income from urban rents, toll and the profits of justice between Ealdorman Æthelred of Mercia and his wife Æthelflæd, the church of Worcester, and King Alfred.¹⁴⁴ A small number of charters record similar grants made in the late tenth century and early eleventh. King Edgar granted to Ely Abbey the fourth penny of all the public penalties paid at *Grantanbricge*;¹⁴⁵ a vernacular record datable 1037 × 1040 records a dispute between Christ Church and St Augustine's, Canterbury, concerning the right to collect the third penny ('þone þriddan penig') of tolls at Sandwich;¹⁴⁶ a charter of Cnut confirmed by Harthacnut in favour of Fécamp Abbey purports to include a grant of 'two parts' of the toll in the port of Winchelsea;¹⁴⁷ and a writ of Edward the Confessor's records a grant of a third part of the 'seamtoll' and 'ceaptoll' in Worcester to Bishop Wulfstan and St Mary's minster.¹⁴⁸ The principle of the third penny remained familiar for some time after the Conquest, for the *Dialogus* describes how the earl received one third of the profits of justice from each county.¹⁴⁹

¹⁴¹ F. L. Ganshof, *Frankish Institutions Under Charlemagne*, trans. B. and M. Lyon (New York, 1968), 29, 44; *Capitularia Regum Francorum*, ed. A. Boretius and V. Krause, 2 vols., MGH *Legum Sectio II* (Hannover, 1893–97), nos. 74 and 95.

¹⁴² Campbell, 'Late Anglo-Saxon State', 8–10; P. H. Sawyer, 'English Influence on the Development of the Norwegian Kingdom', in *Kongemøte På Striklestad: Foredrag Fra Seminar Om Kongedømmet I Vikingtid Og Tidlig Middelalder*, ed. B. Sawyer and O. Skevik (Verdal, 1999), 97–104.

¹⁴³ Af 37.1 (Liebermann, i. 70).

¹⁴⁴ S 223; J. Tait, *The Medieval English Borough* (Manchester, 1936), 20–2.

¹⁴⁵ S 779. At Beccles in Suffolk the abbey of Bury St Edmund had three quarters of the customary dues from the market whereas the king had one quarter: LDB 283b (Suffolk 1:40), 370a (Suffolk 14:120).

¹⁴⁶ S 1467; cf. GDB 3a (Kent 2:2). ¹⁴⁷ S 982.

¹⁴⁸ S 1158; *Writs*, 409–10, 412; cf. GDB 172a (Worcestershire C:1), 173c (Worcestershire 2:49).

¹⁴⁹ *Dialogus de Scaccario, the Course of the Exchequer, and Constituo Domus Regis, the Royal Household*, ed. and trans. C. Johnson with corrections by F. E. L. Carter and D. E. Greenway (Oxford, 1983), 64.

All the same, Domesday Book remains by far the most informative source on the earl's third penny. Cheshire Domesday supplies the most detailed account of all. There we learn that various renders were shared such that the king had two parts and the earl the third. These included 'placita comitis in comitatu et hundretis' ('the pleas of the earl in shire and hundreds').¹⁵⁰ There were 487 geld-paying houses in Chester *TRE* (fifty-six held by the bishop) which together rendered ten and a half silver marks, presumably in rent.¹⁵¹ Fines paid by the townsmen of Chester for various offences were shared between the king and the earl: these included breach of the king's peace, murder, assault, breaking and entering, highway robbery, theft, collusion with a thief, and unlawful intercourse. Other notable fines included that paid by the twelve *judices ciuitatis* for failure to attend meetings of the hundredal court, and the fine levied against the lord of the man who failed to repair the wall or bridge when called upon to do so by the reeve.¹⁵² There were additional fines for trading offences: entering or leaving the port without permission, selling marten-pelts without the witness of the king's reeve, failure to pay toll, and the use of false measures. Anyone who made bad beer was either put in the dung-stool or paid four shillings to the reeves. Finally, the king and the earl shared the income generated from toll and from certain franchise payments. Toll was collected from merchants in the city of Chester and at the three salt 'wics' in the shire, and each of the city's seven moneyers made a payment of one pound 'quando moneta uertebatur'. The fines and tolls levied in this way are listed in Table 3.2.

Cheshire Domesday also reveals how the earl's third penny was collected. There are several references to the reeves of the king and the earl. Thus, if the peace given 'praeposito regis aut ministro comitis' ('by the king's reeve or the earl's officer') were broken, the fine was 40s and the third penny was the earl's. The king's reeve had the authority to command merchants to show him their cargo before it was sold, presumably so that the reeve could levy the appropriate quantity of toll. The fine for the production of bad ale was also paid to the officers of the king and the earl. These entries demonstrate that the task of managing and collecting royal revenues in the city of Chester was delegated to the king's port reeve and to his comital counterpart. It is not certain whether these reeves were supposed to render all the dues they collected to the king and the earl, or whether they themselves had an opportunity

¹⁵⁰ GDB 262d (Cheshire C:24).

¹⁵¹ GDB 262c (Cheshire C:2).

¹⁵² GDB 262d (Cheshire C:20-1); Campbell, *Anglo-Saxon State*, 272.

Table 3.2. Cheshire Domesday and the earl's third penny

DB ref.	Fines and other payments	Value
Fines for various 'criminal' offences shared by the king and earl		
C:3	— breach of the king's peace given by the earl or on his orders	100s
C:3	— breach of the peace given by the king's reeve or the earl's <i>minister</i>	40s
C:4	— killing a man in a house (if the killer were the earl's man)	exile and forfeiture
C:5	— bloodshed between Monday morning and Saturday noon	10s
C:5	— bloodshed between Saturday noon and Monday morning	20s
C:5	— killing a man on a feast day	£4
C:5	— killing a man on a non-feast day	40s
C:6	— breaking and entering or highway robbery on a feast day	£4
C:6	— breaking and entering or highway robbery on a non-feast day	40s
C:7	— collusion with a thief	10s
C:7	— collusion with a thief by a reeve of the king or the earl	20s
C:8	— robbery or theft	40s
C:8	— rape or assault against a woman	40s
C:9	— unlawful intercourse committed by a widow	20s
C:9	— unlawful intercourse committed by a girl	10s
C:10	— seizing or claiming property in the city without proof of ownership	40s
C:11	— relief paid before taking possession of inherited property	10s
C:13	— if a fire spread in the city, the man whose house it came from was fined 3 ora of pence and gave 2s to his next door neighbour	3 ora of pence + 2s
C:20	— failure to attend a hundredal meeting by one of the 12 <i>judices</i> of the city	10s
C:21	— the lord of any man who failed to repair the city wall when called upon to do so	40s
Fines for certain 'economic' offences		
C:12	— failure to pay rent by the due term	10s
C:15	— arriving at or leaving port without the king's permission	40s
C:17	— sale of marten-skins without the witness of the king's reeve	40s
C:18	— use of false measure	4s
C:18	— making bad ale (alternative: to be placed in the dung stool)	4s
C:18	— failure to pay toll within three nights (cf. S3:3)	40s
S1:6	— failure to pay toll by a free man	40s
S1:6	— failure to pay toll by an unfree man	4s
S2:2	— toll paid on a salt-cart driven by four or more oxen	4d
S2:2	— toll paid on a salt-cart driven by two oxen	2d
S2:2	— overloading a salt-cart and breaking its axle (or breaking the back of a horse) within one league of the wic	2s
S2:3	— fine for making two pack-loads of salt out of one	40s

Table 3.2. (*continued*)

DB ref.	Fines and other payments	Value
Toll and franchise income shared by the king and earl		
C:19	— payment made by each of the seven moneyers in the city when the coinage was changed	£1
C:17	— toll paid on each cargo leaving port	4d
S2:4	— toll paid on 8 man-loads of salt by men on foot from another hundred	2d
S2:4	— toll paid on 8 man-loads of salt by men on foot from the same hundred	1d
S3:4	— toll paid on a pack-load of salt by a man from another shire	1d
S3:4	— toll paid on a pack-load of salt by a man from the same shire	0.25d

to profit from their activities; however, it seems probable that the whole operation was run as a kind of franchise: in Domesday parlance, a farm (*firma*). The king and the earl could demand a target sum from their respective reeves who would assume the risk of any shortfall and the rewards of any surplus.¹⁵³ Thus, in 1086, Mundret held the city of Chester from Earl Hugh for £70 and one gold mark, and also held the earl's pleas in the county and the hundreds (except Englefield) for £50 and one gold mark. That Chester was similarly farmed before the Conquest is suggested by the fact that the corresponding *TRE* figures for the farm of the city of Chester is given in round numbers: the city 'reddebat de firma' £45 and three timbers of marten pelts *TRE*.¹⁵⁴

The tenurial structure of Cheshire in 1066 was unusual in that it was one of the few counties in England where King Edward held no land in demesne; and for this reason, it has been suggested that the third penny arrangements described in the Cheshire Domesday may have been somehow peculiar to that county.¹⁵⁵ Another possibility is that the Domesday commissioners were supplied with an unusual amount of detail concerning the third penny by the officers of Earl Hugh who had

¹⁵³ Tait, *English Medieval Borough*, 123–9, 140–8.

¹⁵⁴ GDB 262d (Cheshire C:22–4). For Mundret, see A. Thacker in VCH *Cheshire*, i. 315. The value of the farm of the pleas of the country *TRE* is not given, perhaps because it had not changed since 1066.

¹⁵⁵ C. P. Lewis, 'An Introduction to the Cheshire Domesday', in *The Cheshire Domesday*, ed. A. Williams and R. W. H. Erskine (London, 1990), 1–25, at 14–15; A. T. Thacker, 'Early Medieval Chester 400–1230', VCH *Cheshire*, vol. V part 1 (forthcoming), currently online at <http://www.cheshirepast.net>.

a particular interest in the matter.¹⁵⁶ However, it would be wrong to dismiss the Chester evidence as a special case, for the system described in the Cheshire Domesday has numerous parallels elsewhere in Domesday Book. The evidence is summarized in Table 3.3.

It is unlikely that Domesday Book supplies anything like a complete inventory of the third penny. A York document, which is datable to the 1080s and which may have been produced during the Domesday survey, reveals that the archbishop of York had the third penny from certain parts of the city, but Domesday Book itself gives no hint of this.¹⁵⁷ The value attributed to many towns which rendered the third penny was easily divisible by three: for example, Sandwich, Guildford, Wallingford, Gloucester, and Stamford rendered £15, £18 0s 3d, £30, £36, and £15 respectively.¹⁵⁸ This makes it probable that the earl had the third penny of towns even where this is not specifically mentioned in Domesday. Twelfth-century documents refer to the earl's third penny of Bedford, and this arrangement probably had pre-Conquest origins, even though it is not described in Domesday Book.¹⁵⁹

Round drew a sharp distinction between the third penny of urban revenues and third penny of the pleas of the shire.¹⁶⁰ He might have strengthened his argument with reference to a Wulfstan text which distinguishes between *burhriht* and *landriht*.¹⁶¹ Yet the distinction should

¹⁵⁶ There are grounds for suspecting that Earl Hugh's interests were unusually closely reflected in the text of the Cheshire Domesday: see S. Baxter, 'The Representation of Lordship and Land Tenure in Domesday Book', in *Domesday Book*, ed. E. Hallam and D. Bates (Stroud, 2001), 73–102, 203–8, at 93.

¹⁵⁷ *Sources for York History to AD 1100*, ed. D. W. Rollason, D. Gore, and G. Fellows-Jensen, York Archaeological Trust (York, 1998), 23–4, 210–13.

¹⁵⁸ Further examples include Dover, £18; Chichester, £15; Oxford, £30; Winchcombe, £6; Worcester, £18; Hereford, £18; Leicester, £30; Stafford, £9; Shrewsbury, £30; Chester, £45; Derby, £24; Nottingham, £18; Lincoln, £30; Torksey, £18; Norwich, £30; Thetford, £30; Ipswich, £15. In a few instances, however, the render recorded in Domesday was an oddly precise number, as if taken from a written account. For instance, Lewes rendered £6 4s and 1½d from rent and toll, with two thirds to the king, one third to the earl (GDB 26a (Sussex 12:1)).

¹⁵⁹ F. S. Scott, 'Earl Waltheof of Northumbria', *Archaeologia Aeliana* 4th series 30 (1952), 149–215, at 162. Bedfordshire was in Domesday's circuit III, and the commissioners of this circuit do not appear to have documented third penny arrangements.

¹⁶⁰ J. H. Round, *Geoffrey de Mandeville: A Study of the Anarchy* (London, 1892), 287–96.

¹⁶¹ Episcopus 6 (Liebermann, i. 477; *Councils and Synods, with other Documents relating to the English Church, 871–1204*, ed. D. Whitelock, M. Brett, and C. N. L. Brooke, 2 vols. (Oxford, 1981), 419). Whitelock translated 'burhriht' and 'landriht' as 'law of the borough' and 'law of a county district'. For this, see Tait, *English Medieval Borough*, 41; Wormald, *MEL*, 392 n. 584; J. Campbell, 'Power and Authority

Table 3.3. The earl's third penny in Domesday Book

Type of third penny	Lord	Location
Pleas of the shire	Earl Harold	Dorset, Herefordshire ¹
	Earl Eadwine	Warwickshire ²
	Not specified	Lincolnshire, Worcestershire ³
Pleas of the hundred	Earl Harold	4 hundreds in Devonshire, 4 hundreds in Somerset, 5 hundreds in Herefordshire ⁴
	Earl Godwine/Gytha	6 hundreds in Hampshire, 1 in Somerset ⁵
	Earl Eadwine	Nantwich and Macclesfield, Cheshire ⁶
	Earl Leofric/Godiva	Newark, Nottinghamshire
	Not specified	6 hundreds in Shropshire; ⁸ Stow, Lincolnshire ⁷
Urban revenues	Earl Godwine	Dover, Fordwich ⁹
	Earl Harold	Winchcombe ¹⁰
	Earl Tostig	Nottingham ¹¹
	Earl Gyrth	Ipswich ^{11a}
	Earl Ælfgar	Oxford ¹²
	Earl Eadwine	Worcester, Droitwich ¹³
	Earl Morcar	Torksey ^{13a}
	Other lords	Cricklade (St Peter's Westminster); Cirencester (St Mary's of); Worcester (bishop of), Shrewsbury (the sheriff), Hereford (the reeve) ¹⁴
	Not specified	Chichester, Lewes, Salisbury, Marlborough, Cricklade, Malmesbury, Bath, Ilchester, Milborne Port, Exeter, Barnstaple, Huntingdon, Leicester, Stafford, Derby,

¹ GDB 75b (Dorset 1:8), 179a (Herefordshire C:11–15).² GDB 238b (Warwickshire 1:6).³ GDB 336c (Lincolnshire C:27–32), 172a (Worcestershire C:1–3).⁴ GDB 101a (Devonshire 1:41, 1:45), 86d (Somerset 1:13), 186a (Herefordshire 19:2), 186b (Herefordshire 19:10).⁵ GDB 38c (Hampshire 1:19), 86d (Somerset 1:11).⁶ GDB 263d (Cheshire 1:25), 268b (Cheshire S:1–7).⁷ GDB 283d (Nottinghamshire 6:1).⁸ GDB 253b (Shropshire 4:1–6); 376b (Lincolnshire CW:9).⁹ GDB 1a (Kent D:1), 12b (Kent 7:10).¹⁰ GDB 162c (Gloucestershire B:1).¹¹ GDB 280a (Nottinghamshire B:2).^{11a} LDB 294a–b (Suffolk 3: 55)¹² GDB 154a (Oxfordshire B:1).¹³ GDB 172a (Worcestershire C:1–3), 172b–c (Worcestershire 1:3a–b).^{13a} GDB 337a (Lincolnshire T: 3)¹⁴ GDB 67b (Wiltshire 9:1), 162d (Gloucestershire 1:7), 173c (Worcestershire 2:49), 252a (Shropshire C:12), 179a (Herefordshire C:2–3).

Table 3.3. (*continued*)

Type of third penny	Lord	Location
Other renders	Earl Godwine	Lincoln, Norwich, Yarmouth, Thetford ¹⁵ The third oak of a forest; the port at Southwark ¹⁶
	Earl Harold	The third animal on moorland pasture ¹⁷

¹⁵ GDB 23a (Sussex 11:1), 26a (Sussex 12:1), 64c (Wiltshire B:4–5), 87b (Somerset 1:31), 100a (Devonshire C:2), 100b (Devonshire 1:1), 203b (Huntingdonshire B:16–19), 230a (Leicestershire C:5), 246a (Staffordshire B:12), 280b (Derbyshire B:1), 336c (Lincolnshire C:27–32); LDB 117a (Norfolk 1:61), 118a (Norfolk 1:67), 118b (Norfolk 1:70).

¹⁶ GDB 75b (Dorset 1:2), 32a (Surrey 5:28).

¹⁷ GDB 101a (Devonshire 1:41).

not be taken as absolute. The close integration of urban and hundredal organization may sometimes be inferred from Domesday descriptions of towns.¹⁶² Cambridge, Oxford and Shrewsbury were assessed at 100 hides. Several others, such as Canterbury, Sandwich, Rochester, Colchester, Norwich, and Thetford were described as hundreds or were said to 'lie in their own hundred'. In other cases, the hidage assessment attributed to certain towns was a fraction of the hundred in which those towns lay: thus, Worcester's fifteen hides were part of the hundred of Fishborough; Huntingdon's fifty hides gelded as a fourth part of the hundred of Hurstingstone; Northampton was assessed at twenty-five hides in the hundred of Spelho. The integration of town and countryside for the purposes of royal administration is also reflected in some of the arrangements relating to the third penny. The third penny of towns such as Winchcombe, Yarmouth, and Ipswich were farmed together with the third penny of adjacent hundreds.¹⁶³ The third penny of urban revenues could also be rendered to suburban or extra-mural manors such as Earl Eadwine's manor of Coten in Warwickshire.¹⁶⁴ An entry in the Somerset Domesday describes the third penny due to a rural manor from four rural hundreds as *burgherist*.¹⁶⁵ Against this background, the distinction between the third penny of urban revenues

600–1300', in *The Cambridge Urban History of Britain. Volume I, 600–1540*, ed. D. M. Palliser (Cambridge, 2000), 51–78, at 57.

¹⁶² Maitland, *DBB*, 209; A. Ballard, *The Domesday Boroughs* (Oxford, 1904), 65; Tait, *English Medieval Boroughs*, 32–3, 45–62.

¹⁶³ GDB 162b (Gloucestershire B:1); LDB 118a (Norfolk 1:67), 294b (Suffolk 3:55).

¹⁶⁴ GDB 238b (Warwickshire 1:6).

¹⁶⁵ GDB 86d (Somerset 1:13).

and the third penny of pleas of the shire looks less sharp than Round supposed.

The system described in the Cheshire Domesday was not an aberration; nor was it quite ubiquitous. However, it does seem to have operated in many parts of England, and it gave earls a strong financial incentive to lend their weight to many aspects of royal government: in particular, to control and profit from towns, trade, money, and the administration of justice. Of course, this does not quite prove that earls were actively involved in the administration of these aspects of royal government. Indeed Pollock and Maitland supposed otherwise:

The earl, except in the case of the palatine earldoms, has little to do with the government of the county which gives him his title; even before the beginning of legal memory he has, we may say, nothing to do with the county, save to be girt with its sword and to receive a third of its pleas, 'the third penny of the county'.¹⁶⁶

Is this an accurate assessment?

Earls and towns

By the eleventh century English towns had become focal points of military, political, administrative, and economic activity such that the government of England was in large measure mediated through towns.¹⁶⁷ It follows that one way of estimating the extent of earls' involvement in royal government is to gauge the nature and extent of their presence in towns.¹⁶⁸

A striking feature of the narrative sources of the late Anglo-Saxon period is the frequency with which they relate to major events involving earls in towns. Consider the crisis of 1051–2 once more. It began with an incident at Dover involving Eustace 'of Boulogne' (competition for control of the shortest channel crossing between Boulogne and Dover may have been one of the factors which contributed to the crisis). Eustace fled to the king at Gloucester where all the earls and their respective armies converged. King Edward then ordered Earl Godwine

¹⁶⁶ F. Pollock and F. W. Maitland, *The History of English Law to the Accession of Edward I*, 2 vols., reissue edited by S. F. C. Milsom (Cambridge, 1968), i. 533.

¹⁶⁷ Campbell, 'Power and Authority', 51–78.

¹⁶⁸ For a brilliant analysis of connections between towns and the English nobility in the eleventh century, see R. Fleming, 'Rural Elites and Urban Communities in Late-Saxon England', *Past and Present* 141 (1993), 3–37.

to wage war on Dover, and when Godwine refused, a council was held at London; Godwine's supporters gathered at Southwark, and when the family was exiled, Harold and Leofwine sailed from Bristol while Godwine and the rest of the family found refuge in Bruges. The following year the Godwinesons collected an 'overwhelming force' from Pevensey, Dungeness, Romney, Hythe, Folkestone, Dover and Sandwich before sailing up the Thames to London, occupying the south bank west of London bridge at Southwark.¹⁶⁹

Several other decisive episodes in which earls were involved occurred in towns. Ealdorman Æthelmær together with all the western thegns submitted to King Swein at Bath in 1013 while King Æthelred, supported by Earl Thorkell, held out in London.¹⁷⁰ Ealdorman Eadric murdered Sigeferth and Morcar in his chamber in Oxford, and was himself executed in London.¹⁷¹ In 1055, Siward died and was buried in York, and in the same year Earl Ælfgar was exiled (following a meeting of the king's council at London), whereupon he raised an army, attacked Hereford and sent his mercenaries to collect their pay in Chester.¹⁷² The key events in the crisis of 1065 took place at York, Northampton, and Oxford.¹⁷³ Control of towns was a crucial element in the process by which Normans secured control of England between 1066 and 1071.¹⁷⁴

Domesday Book shows that earls exercised power through towns in various ways: through the third penny; by holding rural estates to which urban property pertained; by exercising direct lordship over urban property; and by attracting the commendation of men who held property in towns.

Table 3.4 shows that earls had some sort of presence in nearly sixty towns in England, though its nature and extent varied considerably. Earls had little if any presence in certain towns, including some which were dominated by religious houses (e.g. Canterbury, Shaftesbury, Taunton, Bury), and some which lay within large royal estates (of which there were several in Wiltshire, Dorset, and Somerset). There may have been some towns where earls did not have a significant presence because the sheriff did: this may have been the situation in Shrewsbury, or in Reading where the earl had no property and Godric

¹⁶⁹ *ASC CDE s.a.* 1051–2. ¹⁷⁰ *ASC CDE s.a.* 1013.

¹⁷¹ *ASC CDE s.a.* 1015; JW, ii, 504. ¹⁷² *ASC CDE s.a.* 1055.

¹⁷³ *ASC CDE s.a.* 1065; *VEdR*, 74–82.

¹⁷⁴ Campbell, 'Power and Authority', 58–60; below, 287.

the sheriff had a *haga* for his lodging.¹⁷⁵ There were also a few small towns such as Steyning, Sudbury, and Newark where earls and their kinsmen were the dominant lords. However, it was more usual for the earl to be prominent among several other lords: tenurial heterogeneity was the prevailing pattern, especially in the shire towns north of the Thames.

Earls had an especially strong presence in the shire towns of the Midlands. These were particular in various respects. Professor Campbell makes the point with characteristic economy and force:

By 1066 there were sixteen shires between Thames and Humber, and west of East Anglia and Essex, which took their names from their shire towns. In seven of these shires the shire town was the only Domesday place with any urban status. The layout of the Midland shires is such that a river forms the spine of each and the shire town lies at the nodal point on the river system. This closely organised relationship between towns and provincial government was created by tenth-century kings.¹⁷⁶

Domesday Book records that earls held some sort of property in fourteen of the sixteen shire towns, and the third penny in at least twelve. The only exceptions are Gloucester, which rendered £36, which is easily divisible by three; Shrewsbury, where the sheriff had the third penny; and Bedford, Buckingham, Cambridge, and Hertford, which were all surveyed as part of circuit III. It thus looks as if the third penny in shire towns was a standard perquisite of earls in the Midlands. Here one recalls the Domesday account of Stafford which refers to ‘mansiones de honore comitum’.¹⁷⁷ Were these the urban equivalents of ‘comitales villae’?

In a few instances, the location of comital property in towns can be plausibly identified. Sometimes these were discrete blocks of territory located within towns. The Worcester archive preserves two grants of land in London made by King Alfred and Ealdorman Æthelred of Mercia in favour of Bishop Wærferth of Worcester.¹⁷⁸ Another Worcester charter gives the dimensions of a *haga* inside the town of Worcester which was leased by Bishop Wærferth of Worcester to Ealdorman Æthelred,

¹⁷⁵ GDB 58a (Berkshire 1:41–2).

¹⁷⁶ Campbell, ‘Power and Authority’, 53–4.

¹⁷⁷ GDB 246a (Staffordshire B:1).

¹⁷⁸ S 346, 1628; T. Dyson, ‘Two Saxon Land Grants for Queenhithe’, in *Collectanea Londiniensia: Studies in London Archaeology and History Presented to Ralph Merrifield*, ed. J. Bird, H. Chapman and J. Clark (London, 1978), 200–15.

Table 3.4. Domesday evidence relating to the presence of earls in towns

Town	County	DB references	Recorded population ¹	<i>TRE</i> value (£)	<i>TRW</i> value (£)	Third penny	No. of earls' properties
Dover	Kent	D:1	449	18	54	Godwine	—
Fordwich	Kent	7:10	86	5	11.1	Godwine	—
Rochester	Kent	R; 5:53; 5:93	115	5	40	—	Leofwine 4, Godwine 9
Romney	Kent	2:25; 5:178	156	8	8.5	—	Alsige, Godwine's man, 50
Chichester	Sussex	1:1; 11:1–30	242	15	35	The earl	Godwine 27, Gytha 11
Lewes	Sussex	12:1–41	458	26	34	The earl	Harold 70, Godwine 20, Gytha 1
Steyning	Sussex	5:2	118	86	100	—	Harold 118
Guildford	Surrey	1:1a	81	18	32	—	Godwine? (<i>EER</i> , 42)
Southwark	Surrey	5:28; 1:5; 15:1	—	24?	16	Godwine	Harold 16, Gytha 1
Southampton	Hampshire	S:1–3	151	7	7	—	Tostig's property 'exempt'
Winchester	Hampshire	1:19	—	—	—	—	Gytha 2
Cricklade	Wiltshire	B:4; 1:10	35	—	5	The earl?	Gytha 6
Malmesbury	Wiltshire	M; B:5; 1:5; 41:1	101	—	12	The earl?	Harold 11, an acre, a mill
Marlborough	Wiltshire	B:4	—	—	12	The earl?	—
Salisbury	Wiltshire	B:3–4; 3:4	—	—	18	The earl?	—
Wilton	Wiltshire	B:1; 1:18	30	—	50	—	Harold 5
Axbridge	Somerset	1:2; 1:31	32	—	1.5	The earl?	—
Bath	Somerset	1:31	185	—	60	The earl?	—
Bruton	Somerset	1:31	17	—	3	The earl?	—
Ilchester	Somerset	1:31	108	—	18	The earl?	—
Langport	Somerset	1:31; 1:19	39	—	1.5	The earl?	Harold 5
Milborne Port	Somerset	1:31	69	—	3	The earl?	—
Barnstaple	Devon	1:1; 3:6	69	—	—	The earl?	Harold 1
Exeter	Devon	C:1–7; 1:40	399	—	18	The sheriff	Harold 5
Hertford	Hertfordshire	B:6	54	7.5	30	—	Harold and Leofwine 18
Buckingham	Buckinghamshire	B:11	25	10	16	—	Leofwine 2
Oxford	Oxfordshire	B:5	477	30	60	Ælfgar	Ælfgar 20
Bristol	Gloucestershire	1:21	—	—	—	The earl?	—
Gloucester	Gloucestershire	G:1–4; 60:1	98	36	60	—	Osgot Harold's man 7

Winchcombe	Gloucestershire	B:1	29	6	20	Harold	—
Droitwich	Worcestershire	1:3	151	76		The earl?	Eadwine 51.5 salt houses
Worcester	Worcestershire	C; 14:1; E:7	160	18	23	Eadwine/bishop	Eadwine 1, Wulfwine his man 1
Hereford	Herefordshire	C; 1:7; 19:2	200	18	23.4	Harold	Harold 36
Cambridge	Cambridgeshire	B; 1:17	324	—	14	—	Harold 1
Huntingdon	Huntingdonshire	B:5	256	30		The earl	Siward 1
Northampton	Northamptonshire	B:11, B:38	296	—	30	—	Waltheof 16?
Leicester	Leicestershire	C:5	383	30	42.5	The earl?	—
Warwick	Warwickshire	B; 22:4; 26:1	244	—	—	Eadwine	Eadwine 7, Vagn his man 3
Stafford	Staffordshire	B	146	9	7	The earl	24 'de honore comitatum'
Tamworth	Staffordshire	1:9; 1:30	22	—	—	—	Ælfgar 12
Shrewsbury	Shropshire	C:1	151	30	40	The sheriff	—
Chester	Cheshire	C; 1:1	282	45	—	The earl	Eadwine 10
Derby	Derbyshire	B:14	156	24	30	The earl	Ælfgar 8
Newark	Nottinghamshire	6:1	56	—	—	Godiva	Godiva 56
Nottingham	Nottinghamshire	B:2	233	18	30	Tostig	Tostig 1 carucate
Bridlington	Yorkshire	1Y:11	4	—	—	—	Morcar 4
Pocklington	Yorkshire	1 Y:10	15	—	—	—	Morcar 15
York	Yorkshire	C:10	1036	53	—	—	Harold's reeves 2
Lincoln	Lincolnshire	C:6–8	939	30	100	The earl	Morcar 1, Harold 1
Stamford	Lincolnshire	S:10	415	15	50	—	Abbot Leofric, 10
Torksey	Lincolnshire	T:3	102	18	30	Morcar	—
Colchester	Essex	B:3j–k	439	—	—	—	Ælfgifu 3, Harold 4
Norwich	Norfolk	1:61–66	881	30	96	The earl	Harold 32
Thetford	Norfolk	1:69–70	750	30	70	The earl	—
Yarmouth	Norfolk	1:67; Sfk 1:32	70	27	31	The earl	Gyrth 24
Ipswich	Suffolk	1:122; 3:55	212	15	37	Gyrth	Gyrth a 'grange'
Sudbury	Suffolk	1:97	138	—	—	—	Ælfgifu 63

¹The recorded population assigned to each town in 1086 is supplied (from *The Cambridge Urban History of Britain, Volume I 600–1540*, ed. D. M. Palliser (Cambridge, 2000), 752–3) together with *TRE* and *TRW* values to provide an indication of the relative importance of each town. The last column in the table gives the total number of properties connected with earls in the ways listed on p. 98 after n. 174.

Æthelflæd and their daughter Ælfwynn: the land in question lay beside the River Severn within the burh to the north of the cathedral and bishop's palace.¹⁷⁹ About 150 years later, Earl Leofric and Lady Godiva granted a *haga* in the *port* (presumably Worcester), to the church of Worcester; and it is conceivable that this had once formed part of the *haga* leased to Æthelred and Æthelflæd.¹⁸⁰ A five-acre plot in the north-west corner of the Roman fortress in Cambridge was known in the thirteenth century as *Le Sale*, a place-name derived from the Old English *sael* ('hall'). The possibility that this may have been the residence of the earl is strengthened by the fact that Judith, widow of Earl Waltheof, granted two acres of land in this area to a community of Augustinian canons.¹⁸¹

Earls are also known to have had halls in certain towns. According to the *Vita Edwardi*, Earl Tostig's hall in York contained his treasury and was guarded by his retainers.¹⁸² Thegns Sigferth and Morcar were murdered in Ealdorman Eadric's *bur* ('chamber') in Oxford.¹⁸³ Precisely where the earl's residence lay in Oxford is unclear. One suggestion is that there was some kind of official complex located beside the north gate, where the tower of St Michael's church was integrated into the town's defences providing a useful look-out into Mercia.¹⁸⁴ Another is that St George's tower may have formed part of a pre-Conquest comital complex taken over by Robert d'Oilly in the 1070s. Recent excavations on the site of Oxford castle have raised the possibility that St George's tower may have been a pre-Conquest structure, even though its closest architectural parallels are continental; and this has prompted the interesting suggestion that the tower may have been built by Earl Ralph during the period when Oxfordshire lay within his command.¹⁸⁵

Earls were also patrons and builders of urban churches. Ealdorman Æthelmær gave to Eynsham 'his court (*curia*) in Oxford in which St Ebbe's church was situated, with certain other rents pertaining to that

¹⁷⁹ S 1280; N. Baker and R. Holt, 'The City of Worcester in the Tenth Century', in *St Oswald of Worcester: Life and Influence*, ed. N. Brooks and C. Cubitt (London, 1996), 129–46, at 134–5.

¹⁸⁰ S 1232.

¹⁸¹ D. Lobel, 'Cambridge', in *The Atlas of Historical Towns Volume 2*, ed. M. D. Lobel (London, 1975), 5–6.

¹⁸² *VÆdR*, 76.

¹⁸³ *ASC CDE s.a.* 1015.

¹⁸⁴ Blair, *Anglo-Saxon Oxfordshire*, 163–7.

¹⁸⁵ These suggestions were made by Julian Munby and Julia Barrow in a session on Oxford at a conference on 'Early English Shire Towns', held at Rewley House, Oxford on 29–30 April 2006.

court'.¹⁸⁶ It has been suggested that St Mary-de-Castro at Dover Castle (where a fine late Anglo-Saxon church still stands) may have been a college of secular canons founded by Earl Godwine.¹⁸⁷ Earl Godwine's wife Gytha certainly granted land in Devon to St Olave's church in Exeter, and this church was located very close to a street known in the twelfth century as *Irlsbyri*, 'the earl's *burh*'; it is therefore probable that the church formed part of a comital complex within the city.¹⁸⁸ There is a parallel for such a complex at York. When Earl Siward died in 1055 he was buried at York in the minster at *Galmanho* which he had built and consecrated to St Olaf and which later became the core of the precinct of St Mary's Abbey;¹⁸⁹ and 'the ancient name Earlsburgh, associated with the immediate vicinity of the church, strongly suggests that the earls had their fortified residence here outside the walls and that Siward's foundation thus lay adjacent to his own house'.¹⁹⁰

It would be interesting to establish the extent to which comital property was positioned in topographical proximity to administrative *foci*, in particular meeting-places. Some shire courts are known sometimes to have convened on extramural sites close to towns. The Herefordshire *scirgemot* attended by Earl Hrani and Eadwine son of Leofwine in Cnut's reign took place at Aylton, a settlement on high ground within a mile or so of Hereford.¹⁹¹ This parallel makes one reflect again on the possibility that 'Siward's Howe' (Heslington Hill, near York) was named after the late Anglo-Saxon earl, not (as popular mythology has it) because he was buried there, but perhaps because it was a venue for important meetings in Yorkshire over which Siward presided as earl; for like Aylton, the hill commands one of the highest points in York's immediate hinterland.¹⁹² Shire court meetings are also known to have been held in towns, sometimes perhaps in close proximity to the urban properties of earls. Domesday Book records that Earl Tostig had a carucate of land in Nottingham whose soke was divided between the king and the earl. The following entry says that, at some stage during the Conqueror's reign, Hugh fitz Baldric the sheriff constructed thirteen

¹⁸⁶ *The Cartulary of the Abbey of Eynsham*, ed. H. E. Salter, 2 vols. (Oxford, 1907–8), vol. i, viii. Blair, *Anglo-Saxon Oxfordshire*, 151.

¹⁸⁷ T. Tatton-Brown, 'Churches of the Canterbury Diocese', in *Minsters and Parish Churches: the Local Church in Transition*, ed. J. Blair (Oxford, 1988), 105–18 at 110.

¹⁸⁸ S 1236; Bates, no. 14; Fleming, 'Rural Elites', 23 n. 100; cf. S 1037.

¹⁸⁹ ASC CD s.a. 1055.

¹⁹⁰ A. G. Dickens, 'York before the Norman Conquest', in *A History of Yorkshire: the City of York*, ed. P. M. Tillot (Oxford, 1961), 2–24, at 15.

¹⁹¹ S 1462.

¹⁹² Dickens, 'York before the Conquest', 15.

houses 'in terra comitis in nouo burgo' ('on the earl's land in the new borough').¹⁹³ It looks as if Tostig's carucate, the earl's land, and the new borough were identical; and if so, it can be identified as the area between the Norman castle (constructed in 1068) and the western gate of the medieval town. This area is especially interesting since, as late as 1256, the men of Derbyshire and Nottinghamshire met in a moot hall situated close to Friar's Lane, previously known as Moothallgate.¹⁹⁴

The proximity of comital residence and the town (and shire?) meeting-place in Nottingham has a parallel in Lincoln.¹⁹⁵ Recent research has established beyond reasonable doubt that the earl's residence lay within the Roman walls in the north of the city.¹⁹⁶ This residence appears to have been located near to the church which preceded the Norman cathedral. Domesday Book records that Earl Morcar held the manor of Wellingore in Lincolnshire *TRE*, and the church of this manor pertained to another church dedicated to St Peter's in Lincoln.¹⁹⁷ Wellingore was held by King William in 1086, but a charter dated 1094 records that Earl Roger de Poitou granted the churches of Wellingore and St Peter's in Lincoln to the abbey of St Martin, Sées.¹⁹⁸ There was more than one medieval church dedicated to St Peter in Lincoln, but later documentation establishes that the church connected with Wellingore was known as St Peter's *ad placitum*, 'at pleas'.¹⁹⁹ In the fifteenth-century Thurgarton cartulary, the same church is referred to as St Peter's *ad motston*, 'at the moot-stone'.²⁰⁰ Here one recalls a statement in the charter which records the endowment of St Mary's Stow by Earl Leofric and Lady Godiva: the transaction was undertaken with the cognisance of all the *burhware* in Lincoln.²⁰¹ Were the details of this transaction proclaimed in the churchyard of the earl's church within the Roman walls of Lincoln?

¹⁹³ GDB 280a (Nottinghamshire B:2–3).

¹⁹⁴ D. Roffe, 'The Anglo-Saxon Town and the Norman Conquest', in *A Centenary History of Nottingham*, ed. J. Beckett (Manchester, 1997), 24–42 at 35–6.

¹⁹⁵ J. W. F. Hill, *Medieval Lincoln* (Cambridge, 1948), 130–1.

¹⁹⁶ This point was developed by David Stocker in a paper on Lincoln the 'Early English Shire Towns' conference in Oxford on 29–30 April 2006.

¹⁹⁷ GDB 337c (Lincolnshire 1:6).

¹⁹⁸ J. H. Round, *Calendar of Documents Preserved in France Illustrative of the History of Great Britain and Ireland* (London, 1899), no. 664.

¹⁹⁹ *Rotuli Hugonis de Welles Episcopi Lincolnensis A.D. 1209–1235, Volume III*, ed. F. N. Davis, Lincoln Record Society 9 (Lincoln, 1914), 115, 198.

²⁰⁰ K. Cameron, *The Place-Names of Lincolnshire*, 6 vols., EPNS 58, 64–6, 71, 73, 77 (Cambridge, 1985–2001), i. 132.

²⁰¹ S 1478.

Earls, *gafol*, and geld

Critical questions arise in connection with tribute (*gafol*) and geld. Were earls responsible for tax collection? Did they profit from the process? Did they pay *gafol* and geld, or were they exempt?

Ealdormen were certainly involved in the decision-making process which preceded the tribute payments of Æthelred's reign, for the *Anglo-Saxon Chronicle* specifically says that these were approved by the king and his leading advisers.²⁰² In some instances, the decision to 'buy peace' seems to have been made by ealdormen in discussion with the local aristocracy. The text of a treaty made between King Æthelred and the Danes, probably in 994, refers to

ðam formalan, ðe Sigeric arcebiscop 7 Æthelwerd ealdormann 7 Ælfric ealdorman worhton, ða hu abædon æt ðam cyngre, þæt hy mostan ðam læppan frið gebricegan, ðe hy under cyngre hand ofer hæfdon.

[the terms which Archbishop Sigeric and Ealdorman Æthelweard and Ealdorman Ælfric made, when they obtained permission from the king to purchase peace for the districts which they had rule over, under the king.]²⁰³

Æthelweard and Ælfric were not the only high-ranking noblemen who negotiated tribute payments during this troubled reign: ten years later, 'Ulfkytel wið þa witan on Eastenglum' determined to pay tribute.²⁰⁴

The military resources available to earls were presumably deployed in connection with the collection of *gafol* and geld. It may have been partly to guard the *gafol* that Ealdorman Eadric and all the chief councillors of England, ecclesiastical and lay, assembled in London before Easter in 1012, for the *Anglo-Saxon Chronicle* goes on to say that they stayed there until a tribute (*gafol*) of £48,000 was paid after Easter.²⁰⁵ At some stage between 1001 and 1012, Bishop Æthelric of Sherborne wrote to Ealdorman Æthelmær, complaining that various landholders within his bishopric were withholding shipscot (*scyppgesceote*), a levy used to finance the construction and maintenance of warships; the letter goes on to assert that Æthelmær could easily put this situation right if he were minded to do so.²⁰⁶

²⁰² For example, *ASC CDE s.a.* 991, 994, 1002.

²⁰³ II Atr 1; Keynes, 'Historical Context', 103–7.

²⁰⁴ *ASC CDE s.a.* 1004; *MS C*, ed. O'Brien O'Keefe, 90.

²⁰⁵ *ASC CDE s.a.* 1012.

²⁰⁶ S 1383. For shipscot and shipsokes, see Williams, *Kingship and Government*, 117–18, 142–4.

Eleventh-century taxation was heavy,²⁰⁷ and the process of collecting it must have involved the use or the threat of violence, sometimes mediated through earls. When two of King Harthacnut's housecarls were killed by a mob at Worcester whilst attempting to collect geld in 1041, the king responded by sending several earls to harry the town and shire.²⁰⁸ Heavy-handed tax collection could also induce violence against earls. According to John of Worcester, the men of Northumbria rebelled against Earl Tostig in 1065, partly 'pro immensitate tributī' which he had unjustly levied throughout his earldom.²⁰⁹

There are good reasons for thinking that ealdorman and earls and could profit indirectly from *gafol* and geld collection. A crucial passage in Hemming's *codicellus* says that in Cnut's reign those who had not paid *vectigal* by the appointed time lost their land to whoever paid the money due to the sheriff.²¹⁰ Eadwine, the brother of Earl Leofric, despoiled property from the church of Worcester on this pretext, and there are circumstantial grounds for suspecting that he was not the only royal official who took advantage of this system.²¹¹ The evidence that earls profited directly from geld collection is less clear. It is known that lesser royal officials received payments for their involvement in the collection of geld, so it might be supposed that greater officials did so also.²¹² However, there is no unambiguous evidence that geld was among the sources of income shared among the king and earl.²¹³ The earl had the third penny from 431 geld-paying houses in Chester, but the source of this income was almost certainly rent, not geld.²¹⁴ During the Conqueror's reign, the bishop of Worcester repeatedly claimed that geld was paid to him as the lord of Oswaldslow hundred,²¹⁵ but this was perhaps because the bishop was responsible for paying all the geld due from Oswaldslow to the king, and was therefore keen to assert his right to collect geld from his tenants.

It remains possible, indeed probable, that earls used their influence at court to secure preferential deals for themselves and others in

²⁰⁷ Campbell, 'Late Anglo-Saxon State', 28 n. 91.

²⁰⁸ JW *s.a.* 1041 (ii. 532).

²⁰⁹ JW *s.a.* 1065 (ii. 598).

²¹⁰ HC, 278; M. K. Lawson, 'The Collection of the Danegeld and Heregeld in the Reigns of Æthelred II and Cnut', *EHR* 94 (1984), 721–38, at 724.

²¹¹ Lawson, 'Collection', 732–4.

²¹² Williams, *Kingship and Government*, 145.

²¹³ Campbell, 'United Kingdom of England', 34.

²¹⁴ Lawson, 'Collection', 731; GDB 262c (Cheshire C:2); cf. 172a (Worcestershire C:1).

²¹⁵ GDB 174a (Worcestershire 2:74); Bates, nos. 347–50.

their earldoms: to engage with what has been termed 'the politics of assessment'.²¹⁶ Another important passage in Hemming's *codicellus* is relevant here:

Eadric, cognomento Streona, id est, adquisitor, sub rege primitus Athelredo, et postea aliquandiu sub Cnut omni Anglorum regno præerat, et quasi sub regulus dominabatur, in tantum, ut villulas vilis et provincias provinciis pro libito adjungeret; nam vicecomitatum de Wincelcumb, que per se tunc erat, vicecomitatui Gloeceastre adjunxit.

[Eadric, whose by-name was 'Streona', that is 'the acquirer', first under King Æthelred, and afterwards for a while under Cnut, was in charge of the whole kingdom of the English, and ruled over it like an under-king, such that he joined townships to townships and shires to shires at will; he even added the hitherto independent shire of Winchcombe to the shire of Gloucester.]²¹⁷

If this statement is accurate (and one must allow for Hemming's penchant for rhetorical flourish, and for the fact that he was writing almost a century after the events he describes), it establishes that ealdormen could be responsible for the implementation of administrative change on a major scale.²¹⁸ If so, it would not be unreasonable to suppose that earls were involved in the process which resulted in substantial reductions in the hidage of certain shires, but there is no concrete evidence to support this proposition. The Gospatric writ shows that a member of the house of Bamburgh enjoyed exemption from geld and could grant it to others in Cumbria; but, as its exclusion from the Domesday survey demonstrates, the government of this region was in many ways exceptional.²¹⁹

Domesday Book makes it plain that earls were expected to pay geld. Many of the estates held by earls are said to have 'defended themselves to the geld'.²²⁰ Cheshire Domesday refers to an estate held by Earl Eadwine which never paid geld and was never hidated, but this was probably an exceptional case since the estate in question lay in border territory

²¹⁶ Campbell, 'Late Anglo-Saxon State', 19, adapting Maitland, *DBB*, 471.

²¹⁷ *HC*, 280.

²¹⁸ Taylor, 'Origin of the Mercian Shires'; J. Whybra, *A Lost County: Winchcombeshire in the Tenth and Eleventh Centuries*, Studies in Anglo-Saxon History 1 (Woodbridge, 1990).

²¹⁹ S 1243. For government north of the Humber, see Campbell, 'United Kingdom of England', 49–50.

²²⁰ Examples from three different circuits: GDB 86d (Somerset 1:19), North Curry, 'Heraldus comes tenuit T.R.E. et geldebat pro xx hidis'; 263c (Cheshire 1:1), Weaverham, 'Comes Eduinus tenuit. Ibi xiii hidæ geldantes'; 338b (Lincolnshire 1:38), Kirton, 'habuit Eduinus comes viii carucatas terræ ad geldum'.

between England and Wales.²²¹ Either way, it remains striking that the Domesday commissioners felt it necessary to say that this particular estate did not pay geld, for this implies that the majority of earls' estates did. No doubt earls were sometimes able to secure artificially low geld assessments on their estates or those of their clients.²²² An entry in Surrey Domesday is suggestive here:

Ipsa abbatia tenet Peliforde. Heraldus tenuit de rege Edwardo. Antequam Heraldus habuisset, defendebat se pro xxvii hidis. Postquam habuit, pro xvi hidis ad libitum heraldi. Homines de hundredo nunquam audierunt nec uiderunt brevem ex parte regis qui ad tantum posuisset.

[The abbey [Westminster] itself holds Pyrford. Harold held it of King Edward. Before Harold had it, it was assessed at 27 hides; after he had it, at 16 hides at Harold's pleasure. The men of the hundred have never heard nor seen the writ on the king's behalf, which had fixed it at so much.]²²³

The hidation of this estate may have been reduced 'ad libitum heraldi', but this does not quite prove that earls had the power to adjust geld assessments in their favour, for the reduction in question could have been put into effect during Harold's reign. Either way, it is unlikely that earls systematically obtained beneficial geld assessments on their own estates. Maitland observed that a sample of Domesday estates often produces a mean average 'value' of about £1 per hide.²²⁴ The mean average 'value' of the estates attributed to pre-Conquest earls in Domesday Book is remarkably similar: about £1.2 per hide (or carucate).²²⁵ In other words, the ratio between the hidage assessment and value of the estates attributed to earls was broadly in line with the average for England as a whole, and this suggests that earls did not benefit from beneficial hidation in a major way.

Earls were among those who held land with sake and soke, but there is no evidence that this involved exemption from geld; indeed, there is good evidence to the contrary. The twelve *lagemanni* in Stamford had sake and soke within their houses and over their men 'praeter geldum'

²²¹ GDB 269b (Cheshire FT3:1).

²²² Lawson, *Cnut*, 151 observes that four of the twenty hides held by the canons of Much Wenlock were made exempt 'in Cnut's time' (GDB 252c (Shropshire 3c:2)) and makes the interesting suggestion that this may have owed something to the influence of Earl Leofric, their patron.

²²³ GDB 32b (Surrey 6:5); cf. Bates, no. 326.

²²⁴ Maitland, *DBB*, 464–6.

²²⁵ Below, 129. The Leofwinesons held 989 hides and 1,016 carucates with an aggregate value of £2,857; the Godwinesons held 3,659 hides and 1,377 carucates with an aggregate value of £5,599.

(‘except for geld’).²²⁶ The Huntingdonshire jurors declared that Earl Siward and then Earl Harold held an estate at Swineshead with sake and soke, but the men of this vill nonetheless paid geld in the hundred, and joined the men of the hundred against the enemy.²²⁷ In 1086, a certain Ranulf *clericus* held three sites in Guildford with sake and soke ‘nisi commune geldum in uilla uenerit unde nullus euadat’ (‘except when the common geld comes upon the town, from which no man escapes’); the entry goes on to say that Archbishop Stigand held these sites *TRE*.²²⁸ That Stigand’s property was expected to pay geld is a strong indication that the common geld was indeed inescapable, even for earls.

The administration of justice

Earls were expected to be active and fair in the administration of justice. Archbishop Wulfstan wrote a passage on the duties of earls in his ‘Institutes of Polity’, which focuses heavily on their judicial role: it argues that, in order to propitiate God, earls should cherish justice, shun bad judgement and bribery, condemn thieves and plunderers, protect the poor, and honour and defend the church.²²⁹ The *Vita Ædwardi* places much emphasis on the judicial virtues of the Godwinesons. Wherever injustice appeared, ‘ius et lex’ were promptly restored by Earl Godwine.²³⁰ Earl Harold is styled ‘gladiator iustus’.²³¹ Although Earl Siward was greatly feared for the severity of his justice, it remained dangerous to travel in his earldom, even in bands of twenty or thirty men. However, Earl Tostig

pacis deifice filius et amator eximius dux adeo illo adtenuauerat tempore, patriam scilicet purgando talium cruciatu uel nece, et nulli quantumlibet nobili parcendo qui in hoc deprehensus esset crimine, ut quiuis solus etiam cum quauis possessione ad uotum possent commeare, absque alicuius hostilitatis formidine. [a son and lover of divine peace, this distinguished earl had in his time reduced the number of robbers and cleared the country of them by mutilating or killing them and by sparing no one, however noble, who was caught in this crime, such that any man, even with any of his goods, could travel at will even alone without fear of attack.]²³²

²²⁶ GDB 336d (Lincolnshire S:5).

²²⁷ GDB 208b (Huntingdonshire D:14).

²²⁸ GDB 30a (Surrey 1:1b).

²²⁹ *Die ‘Institutes of Polity: Civil and Ecclesiastical’: Ein Werk Erzbischof Wulfstans Von York*, ed. K. Jost (Bern, 1959), 78–80.

²³⁰ *VÆdR*, 10.

²³¹ *VÆdR*, 48.

²³² *VÆdR*, 78–9.

The text goes on to say that Tostig's aggressive approach to the administration of justice was among the grievances of those who rebelled against him in 1065.²³³

Ealdormen and earls were expected to perform various peace-keeping functions. They were protected by comparatively high wergilds,²³⁴ possibly because they in fact had two wergilds, one acquired with office.²³⁵ According to Alfred's code, the fine for fighting or drawing a weapon in a meeting attended by an ealdorman was one hundred and twenty shillings, or thirty shillings if his deputy was present.²³⁶ The fines paid for *burgbryce* (forcible entry)²³⁷ and *borhbryce* (infraction of security)²³⁸ against earls and bishops were identical. A recurrent theme of late Anglo-Saxon legislation is that royal officials should intervene to facilitate the peaceful resolution of disputes. One means of doing so was to provide *grið* ('sanctuary') to the accused in order to give the hot blood of vengeance enough time to cool.²³⁹ Æthelred's Wantage code set the fine for breach of the peace given by the ealdorman in a meeting of the Five Boroughs at twelve hundred shillings (the fines for breach of the peace given at meetings held in a single borough or in the wapentake were six hundred and one hundred shillings respectively).²⁴⁰ The text of King Æthelred's treaty with the Danes defined the slaying of eight men as a breach of the truce, and if this happened in a town the citizens were to exact equivalent vengeance, supported if necessary by the ealdorman.²⁴¹ That such legislation had some impact in reality is suggested by the Gospatric writ, which refers to the peace given by Earl Siward, and by the Domesday accounts of York and Chester, which refer to the peace given by the earl.²⁴²

²³³ *VÆdR*, 76–8.

²³⁴ *Norðleoda laga* (Liebermann, i. 458–61) assigns the following wergilds: king 30,000 thrymsas, archbishop and ætheling 15,000 thrymsas, bishop and ealdorman 8,000 thrymsas, 'hold' and king's high-reeve 4,000 thrymsas, thegn 2,000 thrymsas, ceorl 266 thrymsas.

²³⁵ Chadwick, *Studies*, 166–8.

²³⁶ Af 38 (Liebermann, i. 70–2).

²³⁷ Af 40 (Liebermann, i. 72–4): the fines paid to the king, archbishop, bishop, ealdorman, and thegn were 120s, 90s, 60s, 60s, and 30s respectively.

²³⁸ Af 3; II Cn 58 (Liebermann, i. 50, 350): the fines paid to the king, archbishop, bishop, earl, and thegn were 100s, 60s, 40s, 40s, and 30s respectively.

²³⁹ *Grið* (Liebermann, i. 470–3); Wormald, *MEL*, 394–5; Hyams, *Rancor and Reconciliation*, 92–8.

²⁴⁰ III Atr 1 (Liebermann, i. 228). The text does not give the units, but comparison with the Cheshire Domesday (which sets the fine for the breach of the peace given by the king or earl at 100 shillings) suggests that shillings was intended.

²⁴¹ II Atr 5–6 (Liebermann, i. 222–4).

²⁴² S 1243; GDB 262c (Cheshire C:3), 298d (Yorkshire C:38).

Like Carolingian *missi* and counts,²⁴³ earls were sometimes responsible for publishing and enforcing legislation. King Edgar's *Wihthordestan* code entreats Earl Oslac and all the *here* in his ealdordom to enforce its provisions, and provides for multiple copies of it to be sent to Ealdorman Ælfhere of Mercia and Ealdorman Æthelwine of East Anglia who were to distribute them and make its contents known to rich and poor alike.²⁴⁴ Cnut's first letter to the English, which is addressed to Earl Thorkell, says that if anyone were to defy either God's law or secular law, Thorkell was to cause them to make amends or drive them out of the land.²⁴⁵

Both Edgar's Andover code and Cnut's code assert that the county court was to meet twice a year in the presence of the bishop and ealdorman.²⁴⁶ But is it realistic to suppose that ealdormen and earls attended bi-annual meetings of the shire court? To do so would have been a major logistical exercise. Between 1055 and 1066, Earl Harold's earldom encompassed a great triangle of territory between Herefordshire, Cornwall, and Kent. To have attended all the shire-court meetings within this earldom would have been challenging, even for a man of Harold's energy. On the other hand, earls must have placed great store by attending meetings of shire courts, for they enabled them to reaffirm their political pre-eminence and prestige within each shire, and to provide good lordship to their men.²⁴⁷ The logistics of attending several such meetings within the same earldom were not impossible: the Domesday commissioners presided over meetings of great complexity in five shire courts in the space of a few months.

That earls attended at least some meetings of shire courts within their earldoms is readily demonstrable. The majority of pre-Conquest writs are addressed to earls, bishops, and the thegns of particular shires, and it is generally assumed that such instruments were read out at meetings of shire courts with the addressees in attendance.²⁴⁸ Ealdormen and earls are also invoked in the texts, and named in the witness lists, of many Worcester leases, and it is probable that most

²⁴³ Ganshof, *Frankish Institutions*, 23–34.

²⁴⁴ IV Eg 15 (Liebermann, i. 214).

²⁴⁵ Cn 1020 (Liebermann, i. 273–5; *EHD* i. no. 48).

²⁴⁶ III Eg 5; II Cn 18 (Liebermann, i. 202–3, 320).

²⁴⁷ Stenton, *Anglo-Saxon England*, 549; below, Chapter 6.

²⁴⁸ *Writs*, 48; R. Sharpe, 'The Use of Writs in the Eleventh Century', *ASE* 32 (2004), 247–91, esp. 251–2.

of the transactions described in these documents were sanctioned at meetings of the Worcester shire court.²⁴⁹ It is necessary to allow for the possibility that the evidence was shaped more by diplomatic convention than by physical realities. The witness lists of charters do not necessarily give a full and accurate list of those who were physically present to witness the transactions they describe; for example, it may have been conventional to include the names of individuals who had been party to, or cognisant with, those transactions over a period of time, whether or not they were present when the transaction itself occurred.²⁵⁰ On the other hand, there is unambiguous evidence that ealdormen and earls attended meetings shire courts. For example, a Worcester charter refers to a lawsuit heard at the shire court of Worcester presided over by Ealdorman Leofwine, Hákon and Leofric;²⁵¹ an account of a Herefordshire lawsuit says that Earl Hrani and Eadwine Leofwineson were among those present at a *scirgemot* at Aylton during Cnut's reign;²⁵² and a dispute between Bishop Ælfwold of Sherborne and a Devonshire thegn was settled 'at Exeter before Earl Godwine and the whole shire'.²⁵³

The *Libellus Æthelwoldi*, an early twelfth-century Latin text written at Ely, drawing on late-tenth-century vernacular records, describes several occasions when ealdormen presided over local courts in the east Midlands. These are so instructive as to be worth listing in full.

1. When Ealdorman Byrhtnoth realized that the priest [Leofsige] had deceived him with the lies and treacheries with which he was replete, he [Byrhtnoth] ordered him to be summoned and, coming to [Fen] Ditton, he there proceeded to set out and explain the actions and claims, agreements and broken compacts which he maintained against him through the testimony of many lawmen. As Leofsige denied and contradicted all the charges brought against him, they decided that he might clear himself with an oath. Since he could neither do this nor produce those who ought to swear against him, it was decreed that he should be evicted and Ealdorman Byrhtnoth

²⁴⁹ Keynes, *Atlas*, Table 78.

²⁵⁰ D. Bates, 'The Prosopographical Study of Anglo-Norman Royal Charters', in *Family Trees and the Roots of Politics: British and French Prosopography from the Tenth to the Twelfth Centuries*, ed. K. S. B. Keats-Rohan (Woodbridge, 1997), 89–102, esp. 91–2. Although this paper is not directly concerned with pre-Conquest England, the methodological problems it addresses are of wider importance.

²⁵¹ LS 77 (S 1460).

²⁵² LS 80 (S 1462).

²⁵³ LS 85 (S 1474).

should be given possession of both hides ... The same was decreed a second time on another occasion, at Cambridge.²⁵⁴

2. Ealdorman Æthelwine came to Ely and held a meeting with the whole hundred ('tenuit placitum cum toto hundeto') within the churchyard at the northern gate of the monastery, and there adjudicated upon the action and suit which existed between the abbot [Byrhtnoth] and Sumerlida.²⁵⁵
3. Then Ealdorman Æthelwine came to Ely, and Beahmund and the others had been called and summoned for this suit to a meeting of the citizens and the hundred-men ('ad placitum civium et hundredanorum') once, twice and, indeed, many times, but they were never willing to come ... In the end Ealdorman Æthelwine came to Cambridge and held there a great meeting ('grande placitum') of the citizens and the hundred-men before twenty-four judges below *Therningefeld* near *Maideneberge*.²⁵⁶
4. After this the whole of Huntingdonshire ('totus comitatus Huntendune') was called together by Ealdorman Byrhtnoth and Ælfwold and Eadric. Without delay a very great assembly ('maxima concio') was held.²⁵⁷
5. A great assembly ('magna concio') was held at Whittlesford and there gathered there Ealdorman Æthelwine, and his brothers Ælfwold and Æthelsige, and Bishop Æswig, and Wulflæd, the widow of Wulfstan, and all the leading suitors of Cambridgeshire ('omnes meliores concionatores de comitatu Grantebrygge').²⁵⁸
6. In order to settle this matter, therefore, Ealdorman Æthelwine and his brother Ælfwold, and the abbot of the monastery of Ely, and with them all the better born of East Anglia and Cambridge, went to Freckenham, and from there to the vill called *Hegenetune*, where three hundreds were assembled (ubi iii hundreta congregata erant').²⁵⁹
7. [Bishop] Æthelwold and Ealdorman Æthelwine, with the magnates of the shire of Northampton and the leading men of East Anglia,

²⁵⁴ LS 128 (*LE*, ii.33 (ed. Blake, 108, trans. Fairweather, 131–2)).

²⁵⁵ LS 115 (*LE*, ii.12 (ed. Blake, 91, trans. Fairweather, 115)).

²⁵⁶ LS 120 (*LE*, ii.24 (ed. Blake, 97, trans. Fairweather, 120)).

²⁵⁷ LS 121 (*LE*, i.25 (ed. Blake, 99, trans. Fairweather, 121–2)).

²⁵⁸ LS 129 (*LE*, i.34 (ed. Blake, 109, trans. Fairweather, 132)).

²⁵⁹ LS 114 (*LE*, ii.11a (ed. Blake, 90, trans. Fairweather, 114)).

held a meeting of eight hundreds at Wansford ('placitum habuerunt apud Walmesford in octo hundretis').²⁶⁰

These examples demonstrate that ealdormen exercised judicial functions in the full gamut of royal courts in the late tenth century.²⁶¹ The status of the court convened by Ealdorman Byrhtnoth at Fen Ditton is not clear, but even if it was Byrhtnoth's 'private court', as Whitelock suggested, it remains significant that the case was subsequently heard at a court in Cambridge.²⁶² The second and third examples apparently describe meetings of a hundredal court held at Ely. The third and fourth examples appear to describe meetings of shire courts convened in shire towns, and the fifth appears to have been a meeting of all the suitors to the Cambridgeshire shire court convened at one of the rural hundredal meeting-places (Domesday Book shows that Whittlesford was one of the sixteen Cambridgeshire hundreds in 1086). The sixth and seventh examples describe meetings convened in rural locations and attended by the suitors of several hundreds, the suitors to the relevant shire court, and 'the leading men of East Anglia'.²⁶³ These appear to have been *ad hoc* gatherings organized to hear particular disputes, perhaps convened at locations which were convenient to those who presided over them.²⁶⁴ That 'the leading men of East Anglia' attended these meetings is especially interesting. Were these in effect gatherings of Æthelwine's ealdordom?

Ely is by no means the only archive which preserves documents illustrating the involvement of ealdormen and earls in property disputes. A mid-tenth-century Westminster charter mentions that Ealdorman Byrhtferth demanded the wergild of a certain Æthelstan of Sunbury for failure of warranty, and when Æthelstan failed to pay up, Byrhtferth

²⁶⁰ LS 112 (*LE*, ii.11 (ed. Blake, 85, trans. Fairweather, 109)).

²⁶¹ Cf. A. Kennedy, 'Law and Litigation in the *Libellus Æthelwoldi Episcopi*', *ASE* 24 (1995), 131–83, at 134–52.

²⁶² *LE*, p. xiii; Kennedy, 'Law and Litigation', 142 n. 44; Wormald, 'Lordship and Justice', 329.

²⁶³ For the suggestion that the Wansford meeting was in effect a meeting of the eight hundreds of Oundle, see Kennedy, 'Law and Litigation', 137–8, 140–1.

²⁶⁴ Kennedy, 'Law and Litigation', 141–4, esp. 143–4 for the nice observation that Hinton was located directly between Freckenham and Upton, near Ramsey, where Æthelwine had his hall. However, it is one thing to suggest that meetings might have been arranged at Æthelwine's logistical convenience, but quite another to infer from this (as does Kennedy, 'Law and Litigation', 145), that Æthelwine was a 'virtual plenipotentiary' exercising 'arbitrary powers'.

confiscated his estate.²⁶⁵ The archive of Christ Church, Canterbury, preserves a single-sheet original, datable 1044 × 1045, which describes how Earl Godwine brokered a settlement in a property dispute between Christ Church and St Augustine's, Canterbury.²⁶⁶ The Abingdon archive preserves a writ issued by Bishop Siward, datable 1045 × 1048, which is addressed to Earl Godwine and all the thegns in Berkshire, and requests justice concerning property supposedly despoiled from the abbey by one its tenants.²⁶⁷ In some cases ealdormen and earls sought to produce or procure documents relating to property disputes. The Fonthill letter is written in the first person by a certain Ordlaſ, presumably the ealdorman of that name.²⁶⁸ In the late ninth century, Ealdorman Æthelwulf read and examined the charters pertaining to the inheritance of King Cenwulf and, since these showed that a certain Wullaf's tenure of land at Upton was invalid, Æthelwulf caused Wullaf to surrender his title-deeds to that estate in return for a new charter which assigned him usufruct of the estate for the duration of his life.²⁶⁹ Elsewhere we encounter Ealdorman Eadwine, Ealdorman Æthelwine, Ealdorman Byrhtnoth, and Earl Harold obtaining title-deeds from litigants during the course of property disputes.²⁷⁰

Ealdorman and earls were also closely involved in the pursuit of crime. According to Ine's code, ealdormen were charged with holding of thieves, and failure in this brought loss of office.²⁷¹ Anyone who was insufficiently powerful to bring a judicial opponent to law could apply to the ealdorman for assistance, for example in laying siege to his opponent's house.²⁷² The text known as *De Miraculis et Translationibus Sancti Cuthberti* describes how a certain Aldan-Hamal, 'quidam pravæ actionis vir', was captured and imprisoned by Earl Tostig having offended the earl 'furtis atque rapinis, homicidiis atque incendiis' ('with theft and robbery, murder and arson').²⁷³

A critical question is the extent to which ealdormen and earls were involved in judgment. There is clear evidence that ealdormen and earls were regarded as *demas*, judges. Asser famously refers to the judgments made by ealdormen and reeves;²⁷⁴ Old English glosses equate

²⁶⁵ LS 40 (S 1447).

²⁶⁶ LS 84 (S 1472).

²⁶⁷ LS 86 (S 1404).

²⁶⁸ LS 23–6 (S 1445).

²⁶⁹ LS 22 (S 1442).

²⁷⁰ LS 46 (S 1457); LS 122 (*LE*, ii.27 (ed. Blake, 100–1, trans. Fairweather, 123–4)); LS 86 (S 1404; *Charters of Abingdon Abbey*, ed. S. Kelly, 2 vols., Anglo-Saxon Charters VII, British Academy (Oxford, 2000), 557–9).

²⁷¹ Ine 36 (Liebermann, i. 104).

²⁷² Af 42.3 (Liebermann, i. 76).

²⁷³ LS 173 (*Sym*, i. 243–5).

²⁷⁴ *Asser*, ch. 106.

ealdormen with judges;²⁷⁵ Archbishop Wulfstan exhorted earls, judges, and reeves to judge fairly;²⁷⁶ the treatise known as *Iudex* declares that no ealdorman is to appoint foolish or corrupt judges as his deputies;²⁷⁷ and the Ramsey *Liber Benefactorum* says that Ealdorman Æthelwine was often involved in judging pleas, and praises him for being careful and impartial in judgment.²⁷⁸ However, there is also overwhelming evidence that judgment was an essentially plural function—the business of the court as a whole—throughout the Anglo-Saxon period and beyond;²⁷⁹ and there is no unambiguous evidence that ealdormen or earls ever assumed sole responsibility for pronouncing judgment.²⁸⁰ The problem is epitomized by a writ of Edward the Confessor addressed to Bishop Æthelmær, Earl Ælfgar, and all the king's thegns in Norfolk, which urges all the addressees to pronounce judgment (*dom*) concerning a man accused of illegally occupying one of the king's estates. In this case, it is plain that the earl was just one of those expected to give judgment.²⁸¹ The evidence might be reconciled as follows: although judgment was not in theory the business of presiding officials, they could make decisive interventions in practice.

A case described in the Ramsey *Liber Benefactorum* illustrates these possibilities. Ealdorman Æthelwine was the founding benefactor of Ramsey Abbey. His brother Ælfwold purchased land at Swaffham in Cambridgeshire, and later granted the estate to Ramsey Abbey in exchange for another estate at Stapleford. After Ælfwold had died, a certain Ælfnōth son of Goding brought a suit against Eadnoth, prior of Ramsey, for the estate at Swaffham. A meeting was convened at *Wendlesbiri*, probably the Iron Age hill-fort at Wandlebury in the Gogmagog Hills (Cambridgeshire), to settle the dispute. Æthelwine and Eadric the king's reeve 'iudices praesidebant' ('presided as judges'). However, on the advice of all the magnates present, they appointed

²⁷⁵ *Anglo-Saxon and Old English Vocabularies*, ed. Wright and Wülcker, col. 170, 'iudex, uel consul, ealdorman'; *Old English Glosses: Chiefly Unpublished*, ed. A. S. Napier (Oxford, 1900), line 3453, 'preside, uel iudice, ealdormen'.

²⁷⁶ Wulfstan, *Institutes of Polity*, ed. Jost, 78.

²⁷⁷ *Iudex* 8 (Liebermann, i. 475).

²⁷⁸ *Rams*, 31, 34.

²⁷⁹ Liebermann, ii. 701–3; P. Wormald, 'Courts', in *Blackwell Encyclopaedia*, ed. Lapidge *et al.*, 126–7.

²⁸⁰ Ealdorman Æthelwine is said to have determined (*finiuit*) the outcome of a dispute between the abbey and a certain Sumerlida: LS 115 (*LE*, ii.12 (ed. Blake, 91, trans. Fairweather, 115)). However, as Kennedy has observed ('Law and Litigation', 173), 'the account gives the impression that Æthelwine was a mediator as much as a judge in this dispute'.

²⁸¹ S 1077.

thirty-six men including an equal number from the adherents of both parties to determine the case. In the presence of these judges, Ælfnoth asked Eadnoth how he acquired the estate, and was told that he obtained it justly as a gift from an eminent man who had held it freely and without dispute. Ælfnoth then asked Eadnoth if he was prepared to prove this by means of an oath on the Blessed Sacrament, and Eadnoth agreed to do so. At this point the ealdorman intervened. He decreed that professed monks should not have to take an oath in a secular court and that he, as the advocate and protector of Ramsey, would perform the oath on their behalf. Ælfnoth now realized his position was lost: he must have known that Æthelwine's oath was bound to be decisive, and if it were to be made, Ælfnoth would lose not only Swaffham but also the rest of his property, which would forfeit to the king. He therefore renounced his claim to the land, rejoicing that he would thereby win Æthelwine's favour. One could hardly ask for a clearer illustration of the manner in which an ealdorman might use (and abuse) his power in the role of presiding judge.²⁸²

This was not an isolated case. There are other accounts of lawsuits which cast ealdormen and earls in the role of arbiter, mediating between two parties without showing obvious favour or preference to either party.²⁸³ However, there are also several cases which reveal ealdormen and earls defending their own interests,²⁸⁴ intervening on the behalf of their kinsmen and commended men,²⁸⁵ and supporting particular litigants as their advocates.²⁸⁶ Such interventions were opportunities to acquire land through judicial forfeiture,²⁸⁷ or to take inducements

²⁸² LS 143 (*Rams*, 78–81; *ECEE*, 42). Needless to say, Ælfnoth seized Swaffham once Æthelwine was safely dead.

²⁸³ LS 115 (*LE*, ii.12 (ed. Blake, 91, trans. Fairweather, 115)); LS 84 (S 1472); LS 90 (S 1408).

²⁸⁴ LS 123 (*LE*, ii.30 (ed. Blake, 104, trans. Fairweather, 127)), a dispute between Ealdorman Æthelwine and Æthelnoth, brother of Leofric; LS 128 (*LE*, ii.33 (ed. Blake, 107–8, trans. Fairweather, 130–2)), a dispute between Ealdorman Byrhtnoth and Leofsige the priest.

²⁸⁵ LS 114 (*LE*, ii.11a (ed. Blake, 89–91, trans. Fairweather, 112–4)), where Ealdorman Æthelwine intervenes on behalf a man and woman commended to his brother Ælfwold; LS 103–4 (*HC*, 260–1, 264–5), where Earl Leofric intervenes in favour of his commended men.

²⁸⁶ LS 74 (S 1383), Bishop Æthelric of Sherborne appeals to Ealdorman Æthelmær to help him recover land withdrawn from his shipsoke; LS 46 (S 1457), a widow and her kinsman Beorhtic appeal to Ealdorman Eadwine to support them in a dispute with the bishop of Rochester.

²⁸⁷ In S 1498 Ealdorman Æthelmær asserts that he purchased an estate from the king 'when it came into my lord's possession by confiscation (*forwyrht*)'. LS 100 (LDB 1b (Essex 1:3)) records that Earl Harold held Hatfield *TRE* as a manor for twenty hides,

or bribes.²⁸⁸ If it is legitimate to use post-Conquest examples to illuminate earlier possibilities, an anecdote in the Abingdon cartulary-chronicle is instructive here: this reveals that Abbot Ingulf (1130–59) was accustomed to give 100 shillings a year to the sheriff of Berkshire to treat the abbey's men leniently and help them in pleas if the need arose.²⁸⁹

Such perquisites of office were not negligible; but the primary incentive for comital involvement in the administration of justice was probably not so much financial as political. Meetings of shire courts and other judicial gatherings represented opportunities for ealdormen and earls to reaffirm their power and to strengthen their ties with members of the local nobility. Tostig's fate demonstrates that failure in this regard could be disastrous, even for one of the king's most favoured earls. Intense competition for control of formal and informal power structures in the localities ensured that earls engaged with the minutiae of royal government.

THE LIMITS OF EARLS' POWER

Contemporary writers were impressed by the power of ealdormen and earls. In his *Vita Sancti Oswaldi*, Byrhtferth of Ramsey styled Ealdorman Æthelstan 'semi-*rex*' and Ealdorman Ælfhere 'princeps Merciorum gentis', such was the extent of their power.²⁹⁰ The *Anglo-Saxon Chronicle*

plus thirty acres which had been forfeited by a smith 'who was put to death on account of robbery'. After the Conquest, Earl Waltheof held land confiscated from the Ely rebels: Williams, *ENC*, 51 n. 28.

²⁸⁸ LS 122 (*LE*, ii.27 (ed. Blake, 100–1, trans. Fairweather, 123–4)) records that Ealdorman Æthelwine accepted a bribe to intervene on Ely's behalf; *LE*, ii.33 (ed. Blake, 108, trans. Fairweather, 131) says that four thegns gave a hide of land to Ealdorman Byrhtnoth 'on condition that he give them a hand in obtaining certain land in East Anglia'; LS 173 (*Sym*, i. 243) records that the friends and kinsmen of Aldan-Hamal petitioned Earl Tostig to release him from imprisonment, but Tostig would not be moved by offers of silver, gold, or any other *commodum*; and S 1519 seems to imply that the testator intended to bequeath half of an estate to Earl Harold because he had helped to prevent the testator losing it in a lawsuit. That pre-Conquest legislation repeatedly urges royal officials to give just judgment is a sure sign that many did not do so: I Edw Prologue, III Eg 3, Iudex 8, 11 ('wicked are those judges who pervert judgment out of avarice'); Cn 1020 11, II Cn 15.1 (Liebermann, i. 138, 200–2, 474, 274, 318); Wulfstan, *Institutes of Polity*, ed. Jost, 79–82; S. Keynes, 'Crime and Punishment in the Reign of Æthelred the Unready', *People and Places in Northern Europe 500–1600: Essays in Honour of Peter Hayes Sawyer*, ed. I. Wood and N. Lund (Woodbridge, 1991), 69–70.

²⁸⁹ *Historia Ecclesie Abendonensis, The History of the Church of Abingdon*, ed. and trans. J. Hudson, 2 vols. (Oxford, 2002–7), ii.302 (314).

²⁹⁰ *The Historians of the Church of York and its Archbishops*, ed. J. Raine, Rolls Series 71, 3 vols. (London, 1879–1894), i. 428, 443.

for King Æthelred II's reign says that Eadric 'geset to ealdormen geond Myrcna rice' ('was appointed ealdorman over the kingdom of the Mercians'), and Hemming says that he had dominium 'quasi subregulus'.²⁹¹ According to the *Vita Ædwardi*, Godwine was 'dux et baiulus' of almost all the kingdom, and 'primus inter summos regni proceres'.²⁹² MS D of the *Anglo-Saxon Chronicle* says that the people were astonished when Godwine was outlawed in 1051, 'for ðam þe he wæs ær to þam swyðe up ahafan swylce he weolde þæs cynges 7 ealles Englalandes' ('for he was formerly very much exalted, as if he ruled the king and all England').²⁹³ In similar vein, the *Vita Ædwardi* remarks that when Tostig was exiled in 1065, his *potentia* was considered superior to all those who were rated as princes in Francia.²⁹⁴

The powers of earls were indeed considerable. They were among the king's most influential advisers and were leading figures in the factional groups which determined the course of politics. Their interests and activities lent coherence to the kingdom as a whole. They negotiated peace settlements with foreign invaders, led diplomatic missions, cultivated relationships with foreign leaders in their own right, mobilized and led royal armies, and were sufficiently wealthy and influential to recruit private armies when the need arose. The third penny gave earls an incentive to maximize royal income from trade and the profits of justice, and they enjoyed a significant presence in towns where power and authority concentrated. They also presided over meetings of shire courts, played a vigorous role in the administration of justice, and could make decisive interventions in the process of dispute settlement.

The king's right to appoint earls was to some extent circumscribed by families who held onto power within particular earldoms for more than one generation. Although the principle of hereditary tenure of English earldoms was never established in theory, it arguably existed in practice for a generation or so before the Conquest. The earldom of Mercia passed through at least four generations of the Leofwineson family, perhaps more. Harold succeeded his father as earl of Wessex. The descendants of Waltheof of Bamburgh exercised power in the far north of Northumbria for much of the period in question. These families not only dominated the earldoms of Wessex, Mercia, and Northumbria, but also secured the majority of new comital appointments. It has been

²⁹¹ *ASC CDE s.a.* 1007; *MS C*, ed. O'Brien O'Keeffe, 92; *HC*, 280.

²⁹² *VÆdR*, 10. ²⁹³ *ASC D s.a.* 1051; *MS D*, ed. Cubbin, 71.

²⁹⁴ *VÆdR*, 82.

calculated that only six of the twenty earls who attested Cnut's charters had fathers, brothers, or sons who were earls in England; under Edward the Confessor the corresponding figure was thirteen out of sixteen, twelve of whom were from just three families.²⁹⁵

Nevertheless, the king retained a considerable degree of control over his earls and the extent of their power. As Stenton correctly observed:

in the last resort an earl came to his authority by a royal grant. The principle that an earl must be confirmed in office by the king was recognized on the eve of the Conquest in the wildest parts of England.²⁹⁶

The size and composition of English earldoms were sufficiently flexible to create significant opportunities for royal intervention and control. Kings were also able to punish leading members of the lay nobility. During the period between *c.* 966 and 1066, there were at least a dozen cases of exile,²⁹⁷ eight cases of murder or mutilation (mostly royally sanctioned),²⁹⁸ and four executions.²⁹⁹ Ealdormen and earls were sometimes responsible for implementing these punishments; but

²⁹⁵ Lewis, 'Early Earls', 208.

²⁹⁶ Stenton, *Anglo-Saxon England*, 547.

²⁹⁷ Earl Oslac, exiled (*LE*, 95; *LS*, 118); Ealdorman Ælfric, exiled (*ASC CDE s.a.* 985; *S* 896, 937; *LS* 63); Ealdorman Leofsige, exiled for killing Æfíc, the king's high reeve; forfeiture of Leofsige's sister Æthelflæd for ignoring his outlawry and assisting him (*ASC CDE s.a.* 1002; *S* 916, 926; *LS* 71, 75); Eadwig Ætheling, exiled and afterwards killed (*ASC CDE s.a.* 1017); Ealdorman Æthelweard outlawed (*ASC CDE s.a.* 1020; *LS* 160); Earl Thorkell, exiled together with his wife, Edith (*ASC CDE s.a.* 1021; *JW s.a.* 1021 (ii. 506); cf. *LS* 145); Osgod Clapa, 'the staller', outlawed (*ASC CDE s.a.* 1046; cf. *S* 1074); Earl Swein, declared a *niding* (*ASC C s.a.* 1049; *LS* 161); Earl Godwine and his family, exiled (*ASC CDE s.a.* 1051; *VÆdR*, 38–46; *LS* 163); Earl Ælfgar, exiled (*ASC CDE s.a.* 1055; *LS* 164; cf. *ASC D s.a.* 1058); Earl Tostig, outlawed 1065 (*ASC C s.a.* 1065; *VÆdR*, 74–82; *LS* 165); Eadric of Laxfield, wealthy East Anglian landowner, exiled *c.* 1044 × 1055 (*LDB* 310b (Suffolk 6:79), 313a (Suffolk 6:92), 342b (Suffolk 7:114); *LS*, 101). See further Campbell, 'Late Anglo-Saxon State', 9–10.

²⁹⁸ Ælfgar, son of Ealdorman Ælfric, blinded (*ASC CDE s.a.* 993); Ealdorman Ælfhelm, killed, and Wulfheah and Ufegeat, his sons, blinded (*ASC CDE s.a.* 1006; *JW s.a.* 1006 (ii. 456–8)); Æthelwine son of Godwine Leofwineson, mutilated *a Danibus* (*HC*, 259–60; below, 298); Sigeferth and Morcar, chief thegns of the 'Seven Boroughs', murdered by Ealdorman Eadric (*ASC CDE s.a.* 1015); Earl Uhtred, killed by Thurbrand on the advice of Ealdorman Eadric 'and with him Thurcetel, Nafena's son' (*ASC CDE s.a.* 1016; cf. *JW s.a.* 1016 (ii. 482); *Sym*, i. 218, ii. 197); Earl Eadwulf, killed under Harthacnut's safe-conduct (*ASC CD s.a.* 1041; *Sym*, i. 218, ii. 197); Earl Beorn, murdered by Earl Swein (*ASC CDE s.a.* 1049); Gospatric, Gamall son of Orm and Ulf son of Dolfin, Northumbrian thegns killed before 1065; according to John of Worcester these murders were carried out on the instructions of Queen Edith and Earl Tostig (*JW s.a.* 1065 (ii. 598)).

²⁹⁹ Eadric Streona: *ASC CDE s.a.* 1017, *EER*, 30–2, *LS*, 144. Northman son of Ealdorman Leofwine: above, 28–31. Æthelweard, son of Æthelmær the Stout and Beorhtric, son of Ælfheah of Devon: *ASC CDE s.a.* 1017.

just as often, they were themselves on the receiving end. Some exiled earls used violent means to persuade the king to reinstate them but, with the possible exception of Tostig in 1066, rebellious earls demanded restoration to office, not to be made king themselves.

Earls exercised extensive, but not plenipotentiary powers in their earldoms. The existence of a dense network of royal officials below the rank of earl was among the factors which prevented earls from monopolizing localities.³⁰⁰ Here, sheriffs were especially important.³⁰¹ To consider the nature of their responsibilities is to be struck by the extent to which they overlapped with those of earls. Sheriffs were able to call out shire levies and lead border patrols;³⁰² some sheriffs were killed in battle.³⁰³ Sheriffs, like earls, were involved in the process of tax collection, and some profited from that role.³⁰⁴ Some sheriffs had residences in towns;³⁰⁵ some even had the third penny.³⁰⁶ When earls were not present, sheriffs presided over meetings of shire courts. Herefordshire Domesday says that the sheriff summoned the *meliores* of Archenfield to meetings of the shire court.³⁰⁷ Several pre-Conquest writs are addressed to sheriffs, sometimes in conjunction with earls, but sometimes too in their absence.³⁰⁸ Tenorial disputes were sometimes heard before sheriffs but not earls.³⁰⁹ The legislation of the tenth and eleventh centuries is much concerned with the manner in which the king's reeves exercised judicial functions.³¹⁰ Archbishop Wulfstan exhorted *gerefan* as well as *heretogan* to love justice and eschew bribery,³¹¹

³⁰⁰ Campbell, 'Agents and Agencies', *passim*.

³⁰¹ W. A. Morris, *The Medieval English Sheriff to 1300* (Manchester, 1927), 1–39; J. A. Green, *English Sheriffs to 1154*, Public Record Office Handbooks 24 (London, 1990), 9–13; Williams, *Kingship and Government*, 108–13, 126–30, 145–7.

³⁰² GDB 252a (Shropshire C:4), 179b (Herefordshire A:8).

³⁰³ Eadwine Leofwineson may have been sheriff of one of the west Midland shires when he was killed by Welshmen: *ASC C s.a.* 1039. Ælfnoth, sheriff of Herefordshire, was killed on campaign in Wales (*ASC CD s.a.* 1056) and Godric, sheriff of Berkshire, was killed at Hastings: Green, *English Sheriffs*, 26.

³⁰⁴ *HC*, 277–8; GDB 141a (Hertfordshire 36:9).

³⁰⁵ GDB 58a (Berkshire 1:41–2), 189a (Cambridgeshire B:11), 203a (Huntingdonshire B:10) (post-Conquest instances are numerous).

³⁰⁶ GDB 252a (Shropshire C:12), 179a (Herefordshire C:2).

³⁰⁷ GDB 179b (Herefordshire A:7).

³⁰⁸ *Writs*, 48–50; Morris, *Medieval English Sheriff*, 25 n. 63.

³⁰⁹ Ælfgar, 'the king's reeve' in Berkshire, was present to witness LS 49 (S 1454); Leofric, sheriff of Kent, appears to have been the principal layman who presided over the meeting of the shire court which heard LS 69 (S 1456); similarly with Wulfsgie the sheriff and LS 47 (S 1458).

³¹⁰ Morris, *Medieval English Sheriff*, 11–16.

³¹¹ *Institutes of Polity*, ed. Jost, 81–2.

and Cnut charged all his reeves to give just judgments with the bishop as witness.³¹² Sheriffs, like ealdormen, were guardians of the peace.³¹³ Domesday Book refers to the peace proclaimed by the king's reeve at Chester, and by the sheriff of Shropshire,³¹⁴ and implies that both sheriffs and earls had the power to outlaw.³¹⁵ Sheriffs also performed a number of functions with which earls had no involvement, including the farming of royal demesne. Morris concluded his survey of the functions of the pre-Conquest sheriff by asserting that 'the whole government of the shire was falling into his hands'.³¹⁶ This goes too far, but it is clear enough that sheriffs performed many comital functions, and that royal government could if necessary function temporarily without earls.

Is it better to regard the sheriff as the king's man or the earl's deputy? The evidence pulls in both directions. The third penny gave earls and sheriffs the incentive to co-operate. The prosopographical data is limited, but there are some indications that earls and sheriffs were closely connected through kinship and other bonds. They may sometimes have been father and son. Ealdorman Ælfric, who was styled 'ealdorman of the provinces of Winchester' in a diploma of 997, had a son named Ælfgar who was a royal reeve, and probably sheriff of Berkshire—a shire which lay close to, and perhaps within, his father's command.³¹⁷ Ealdorman Leofwine's sons Leofric and Eadwine were almost certainly sheriffs in Worcestershire and Shropshire respectively.³¹⁸ Other close connections between earls and sheriffs can sometimes be inferred: for example, it is tempting to connect the appointment of Osbern fitz Richard Scrob to royal office (probably that of sheriff) in Herefordshire with the possibility that his compatriot Earl Ralph held office there also;³¹⁹ and it is surely significant that Æthelwine, sheriff of Warwickshire, granted land to Earl Leofric's foundation at Coventry.³²⁰ On the other hand, it is worth recalling the word *uiccomes* was not used to translate Old English *scirgerefa* until shortly after the Conquest, for this in itself is a good indication that the sheriff

³¹² Cn 1020, 11 (Liebermann, i. 274).

³¹³ Morris, *Medieval English Sheriff*, 10, 28.

³¹⁴ GDB 262 (Cheshire C:3), 252a (Shropshire C:2).

³¹⁵ GDB 298d (Yorkshire C:39), 336c (Lincolnshire C:33).

³¹⁶ Morris, *Medieval English Sheriff*, 35.

³¹⁷ Williams, *Æthelred*, 23.

³¹⁸ Above, 32, 33.

³¹⁹ S 1102; Freeman, *NC*, ii. 352 n. 3; Morris, *Medieval English Sheriff*, 37; but see *Writs*, 569.

³²⁰ GDB 238d (Warwickshire 6:9); below, 245–50.

was not generally regarded as the earl's deputy in the pre-Conquest period.³²¹

A remarkable narrative preserved in one of King Æthelred II's diplomas throws important light on the relationship between earls and sheriffs (or in this case, ealdormen and reeves). At some point in the early 990s, a certain Leofric was caught in possession of a stolen bridle and a fight broke out between the owners of the bridle and three brothers described as the thief's lords (*domini*). Two of the brothers were killed in the fight, and shortly afterwards Æthelwig the king's 'prepositus in Bucingaham' ('reeve in Buckingham') and Wynsigc 'prepositus on Oxonaforda' ('reeve in Oxford') arranged for these men to have a Christian burial. When he heard about this, Ealdorman Leofsige brought the matter to the king's attention, accusing the reeves of wrongdoing on the grounds that he had given the slain brothers Christian burial. Æthelred ruled in favour of his reeves: he allowed the burials to lie undisturbed, and granted one of the estates which had been forfeited by Leofric's family to Æthelwig. The case is full of interest, not least because it implies that ealdormen would not presume to punish the king's reeve without first appealing to the king himself.³²² As it happens, Leofsige did precisely this a few years later and suffered the consequences: he was exiled in 1002 for killing Æfric the king's high-reeve.³²³

The foregoing discussion has naturally focused on what earls can be shown to have done, but it is also instructive to consider what they did not do. The powers of earls in England before 1066 were not underpinned by networks of castles and castellans as were the powers of counts in eleventh-century Francia.³²⁴ When an English army mustered, it did so by shires and hundreds.³²⁵ Many English earls had some first-hand experience of battle, and some (in particular Harold) excelled as military commanders, but none were anything like as experienced as

³²¹ Morris, *Medieval English Sheriffs*, 37 n. 163; R. E. Latham, *Revised Medieval Latin Word-List from British and Irish Sources*, repr. with supplement (London, 1980), 511. I owe this observation to Richard Sharpe.

³²² LS 54 (S 883). Cf. S 954, which says that a certain *Æðelbertus dux* registered a complaint to King Æthelred concerning the unscrupulous activities of his reeves in Devon. One manuscript suggests that the ealdorman in question was Æthelweard (Keynes, 'Cnut's Earls', 68 n. 145); but the charter is spurious.

³²³ LS 71 (*ASC* CDE s.a. 1002; S 916, 926).

³²⁴ See, for example, B. S. Bachrach, 'The Angevin Strategy of Castle Building in the Reign of Fulk Nerra, 987–1040', *American Historical Review* 88 (1983), 533–60.

³²⁵ C. W. Hollister, *Anglo-Saxon Military Institutions* (Oxford, 1962), 91–5; Campbell, 'Late Anglo-Saxon State', 24.

men like William the Conqueror or Robert Guiscard who spent most of their adult lives campaigning.

Unlike their continental counterparts, English earls were unable to construct independent principalities. As we have seen, the former generally lacked territorial titles.³²⁶ Although earls took one third of certain dues relating to monetary administration,³²⁷ and were responsible for punishing fraudulent moneyers,³²⁸ they did not strike coin in their own names. With a few exceptions, earls did not issue charters whereas their continental counterparts did;³²⁹ nor did they issue writs addressed to 'their' sheriffs, as earls did during Stephen's reign.³³⁰ Like other magnates, earls held jurisdictional franchises, but this did not give them the right to dispense justice in their own courts.³³¹ Some of those who held jurisdictional franchises rendered the third penny to the earl.³³² Although earls sometimes presided over meetings attended by the representatives of more than one shire, there was no such thing as the earl's court: royal administration bypassed the earldom and was transacted through shire and hundredal courts. Whereas Frankish princes and counts were reluctant to attend their king's court, English earls were assiduous in doing so. In these and other respects, the contrast between the powers exercised by Anglo-Saxon earls and their counterparts in Francia is pronounced.³³³ The relative power of kings and earls in late Anglo-Saxon England lay firmly in the king's favour. The power of earls was considerable; that of kings, formidable.

³²⁶ Above, 63.

³²⁷ GDB 26a (Sussex 12:1), 203b (Huntingdonshire B:16–19), 230a (Leicestershire C:5), 252a (Shropshire C:11–12), 262d (Cheshire C:19), 280a (Nottinghamshire B:2); LDB 290b (Suffolk 1:122g).

³²⁸ IV Atr 8 (Liebermann, i. 236); but so too were sheriffs.

³²⁹ Campbell, 'Agents and Agencies', 225; but note that a small number of probably genuine charters were issued by members of the house of Leofwine: below, Chapter 5.

³³⁰ R. H. C. Davis, *King Stephen*, 3rd edn (London, 1990), 127–8.

³³¹ Wormald, 'Lordship and Justice', *passim*.

³³² GDB 280c (Nottinghamshire S:5).

³³³ J. Dunbabin, *France in the Making 843–1180*, 2nd edn (Oxford, 2000), 162–222.

4

The Leofwinesons' Land

The previous chapter confronted the paradox that earls were powerful yet vulnerable; the present one develops this by suggesting that the tenurial resources of the earls of Mercia were considerable, but insecure. The first section shows that the Leofwinesons held land in twenty-one different shires 'worth' about £2,850 per annum (about four per cent of the landed wealth of England). The second compares the Leofwinesons' tenurial resources with those of the king and the house of Godwine. This shows that there is no foundation to the proposition, frequently rehearsed in the literature, that the house of Godwine held more land than the king. A third section argues that the majority of the estates attributed to earls in Domesday Book were loaned to them by the king on a temporary, revocable basis for the duration of their period in office. Late Anglo-Saxon earls thus found their tenure of land just as precarious as their tenure of office.

THE EXTENT OF THE LEOFWINESONS' ESTATES

The estates attributed to the Leofwinesons in Domesday Book are mapped in Plate 1 and quantified in Table 4.1 and Appendix 3. The family held land in almost every shire north of the Thames (though none at all south of the Thames); their estates were assessed at approximately 1,000 hides and 1,100 carucates, and were attributed an aggregate value of about £2,850.

These figures are necessarily approximate, for like all Domesday statistics, they are problematic in various respects. It may therefore be helpful to list some of the problems which have been encountered in

compiling them. Estates are occasionally attributed to the wrong earl in Domesday Book. For example, Little Domesday attributed the estate of Great Chesterford to a certain *Comes Edgarus*. This might be interpreted as an error for 'Edgar Ætheling', but another entry demonstrates that Earl Ælfgar held the estate in question.¹ The Worcestershire Domesday records that *Goduinus comes* held eleven hides at Wychbold *TRE*, but Hemming says that Wychbold was seized (*invasit*) from the church by Eadwine, Earl Leofric's brother, so it is much more likely that Earl Eadwine held it *TRE*.² Earls Eadwine and Godwine were also confused in the Dorset folios.³

Although pre-Conquest earls are usually styled *comes* in Domesday Book, this title is sometimes omitted. Little Domesday Book attributes many estates to Harold and Ælfgar without stating explicitly that they were earls, and Great Domesday Book attributes many estates to Morcar in Yorkshire and Lincolnshire without calling him *comes*. Some of these estates—especially large manors which were held by King William in 1086—can be attributed to earls with reasonable confidence, but ambiguities remain. For example, Melton Mowbray in Leicestershire was held by Leofric son of Leofwine *TRE*: was this Earl Leofric or someone else?⁴

The estates attributed to the wives of earls can also be difficult to identify. The Domesday commissioners sometimes used a neologism, 'comitissa', to describe the wives of earls. They also occasionally described them as mothers of a particular earls, but neither usage was universally applied.⁵ Little Domesday attributes a group of estates in the north

¹ LDB 3b (Essex 1:9); GDB 189d (Cambridgeshire 1:10), 190a (Cambridgeshire 1:15).

² GDB 176d (Worcestershire 19:12); *HC*, 278.

³ GDB 75b (Dorset 1:2) records that woodland (*boscus*) at Hawcombe belonged to the manor at Burton Bradstock in such a way that two parts of it were in the king's farm and the third part, or the third oak 'erat Eduini comitis'; but Exon, fo. 27a, proves that the Great Domesday scribe should have written 'Godwini comitis'.

⁴ GDB 235c (Leicestershire 29:3). For the purposes of the calculations set out in Table 4.1 and Appendix 3, I have assumed that Leofric son of Leofwine was not Earl Leofric. He is more plausibly identified as the Leofric who is also called *cilt* in the Lincolnshire folios (GDB 369b (Lincolnshire 63:1)). This Leofric and his father were the *antecessores* of Geoffrey de la Guerche in Leicestershire, Lincolnshire, Northamptonshire, Nottinghamshire and Warwickshire. For Geoffrey and his wife Ælfgifu (possibly a kinswoman of Leofric son of Leofwine), see D. Greenway, 'Conquest and Colonization: the Foundation of an Alien Priory, 1077', in *The Cloister and the World*, ed. J. Blair and B. Golding (Oxford, 1996), 46–56.

⁵ GDB 231d (Leicestershire 11:1–3 and 12:1–2); LDB 286b (Suffolk 1:97–9).

of Suffolk near Thorndon to a woman named *Ulueua*, but another woman named *Alueua* held land in the same area, and a further group of estates in east Suffolk near Kelsale was also held by women named *Ulueua* and *Alueua*. It has been suggested that both *Ulueua* and *Alueua* were the same person, and that this landholder was identical with Ælfgifu, Earl Ælfgar's wife.⁶ For various reasons, this identification is improbable; but the example serves to illustrate how problematic the material can be.⁷

The estates attributed to Ealdgyth in Domesday Book are also problematic. It is probable that she was identical with the *Aldgid uxor Grifin* who held Binley in Warwickshire *TRE*; and that Osbern fitz Richard, who sold the estate to the abbot of Coventry Abbey, was Ealdgyth's son-in-law.⁸ It is therefore tempting to identify Ealdgyth with the *Ældiet* who held Elmbridge in Worcestershire *TRE*, since this estate was held by Osbern fitz Richard *TRW*.⁹ The Warwickshire Domesday records that an estate at Newton was held by *Godeua TRE* and by *Alde* in 1086,¹⁰ and it has been suggested that these women should be identified as Lady Godiva and Queen Ealdgyth respectively.¹¹ The point is of some importance, for if this identification were secure it would suggest that Harold's wife was still alive and in England in 1086; but since the evidence is ambiguous, the question must be left open.

Examples of problematic identifications could be multiplied,¹² but they do not make a material difference to the overall picture. When my own estimate of the total value of the Leofwinesons' estates is compared with those made by other scholars, it becomes apparent that more fundamental problems of interpretation are at issue; and since these have a crucial bearing on any assessment of the relative power of King Edward and his earls, it is essential to confront them directly.

⁶ P. Warner, *The Origins of Suffolk* (Manchester, 1996), 199–200.

⁷ Baxter, 'Leofwinesons', 119.

⁸ GDB 238d (Warwickshire 6:5); below, Appendix 1.

⁹ GDB 176d (Worcestershire 19:13); this is the entry immediately after that concerning Wychbold, held by Earl 'Godwine' (*recte* Eadwine): above, 126 n. 2.

¹⁰ GDB 241b (Warwickshire 17:42).

¹¹ K. S. B. Keats-Rohan, 'The Making of Henry of Oxford: Englishmen in a Norman World', *Oxoniensia* 54 (1989), 287–309, at 300.

¹² For the likelihood that the estates and lordships attributed to Burgheard in Domesday Book belonged to the son of Ælfgar, see S. Baxter, 'The Death of Burgheard son of Ælfgar and its Context', in *Frankland: The Franks and the World of Early Medieval Europe*, ed. P. Fouracre and D. Ganz (forthcoming).

THE RELATIVE TENURIAL POWER OF KING EDWARD AND HIS EARLS

In a paper first published in 1983,¹³ and developed in 1991, Professor Fleming calculated the value of the lands attributed to King Edward and his earls in Domesday Book. Her findings were astonishing:

In all, the estates of Harold, his brothers and his mother were valued at £5,400 and twenty-two nights' farm, or about £7,500, and the king's estates about £3,900 and twenty nights' farm, or approximately £5,950. The Godwinesons' lands, therefore, exceeded the total value of the *terra regis* in January of 1066 by £1,550 and slightly exceeded the king's estates in nights' farm. Prior to Tostig's fall in 1065, the value of Godwine estates was probably closer to £8,400 a figure more representative of Godwine holdings during the late 1050s and 1060s than Domesday's figures for the 'day King Edward was both alive and dead'. Thus, the king's lands rendered about £2,500 less revenue each year than the lands of his leading family and were valued at only 70 per cent of the Godwinesons' manorial revenues.¹⁴

These statistics seemed to justify her conclusions:

If the Confessor approved of the [Godwineson] family's rapid aggrandizement and its vast network of allies, he was a fool; if he acquiesced he cannot have been in full control of his kingdom. Domesday Book, therefore, offers damning evidence against the competence of Edward the Confessor and the stability of his regime.¹⁵

This analysis has proved influential; indeed, the proposition that the house of Godwine held more land than the king has become a commonplace of the literature.¹⁶ The reader may therefore find the reappraisal that follows equally surprising. It identifies methodological flaws in Fleming's analysis, and demonstrates that there is simply no basis for the proposition that the house of Godwine had greater resources than the king.

Table 4.1 sets out my own estimate of the total value of the lands attributed to King Edward, Queen Edith, the houses of Godwine and

¹³ R. Fleming, 'Domesday Estates of the King and the Godwines: A Study in Late Saxon Politics', *Speculum* 58 (1983), 987–1007.

¹⁴ Fleming, *Kings and Lords*, 70–1.

¹⁵ Fleming, *Kings and Lords*, 102.

¹⁶ See, for example Walker, *Harold*, 54; Higham, *Death of Anglo-Saxon England*, 147; Williams, *Kingship and Government*, 149; Barlow, *Godwins*, 60.

Table 4.1. Estimates of the value of the estates attributed to King Edward and his earls in Domesday Book

	Fleming ¹	Clarke ²	Davies ³	Others ⁴	Baxter
1 King Edward					
2 Nights' farm	2,100				2,479
3 Other lands	<u>3,840</u>				<u>4,310</u>
4 Total landed income	5,940			6,596	6,789
5 Other sources of income				<u>1,568</u>	<u>1,300</u>
6 Total King Edward	<u>5,940</u>		<u>5,000</u>	<u>8,164</u>	<u>8,089</u>
7 Queen Edith	400		900	1,574	1,499
8 King Edward + Queen Edith	<u>6,340</u>	6,000	<u>5,900</u>	<u>9,738</u>	<u>9,588</u>
9 Earl Harold (excluding nights' farm)		2,846	2,500		2,950
10 Earl Godwine		724	820		779
11 Earl Tostig		492	495		522
12 Earl Gyrth		250	165		225
13 Earl Leofwine		287	200		283
14 Gytha		<u>588</u>	<u>450</u>		<u>616</u>
15 Total (excluding nights' farm)	5,390	5,187	4,630		5,375
16 Earl Harold nights' farm	<u>2,310</u>	—	—		<u>224</u>
17 Total Godwinesons	<u>7,700</u>	<u>5,187</u>	<u>4,630</u>		<u>5,599</u>
18 Earl Ælfgar		714	610		714
19 Earl Eadwine		612	670		794
20 Earl Morcar		968	840		1,038
21 Earl Leofric		23			21
22 Other Leofwinesons		<u>177</u>			<u>273</u>
23 Total (excluding nights' farm)	2,440	2,494	2,120		2,838
24 Earl Ælfgar nights' farm	<u>840</u>	—	—		<u>17</u>
25 Total Leofwinesons	<u>3,280</u>	<u>2,494</u>	<u>2,120</u>		<u>2,857</u>

¹Fleming, *Kings and Lords*, 68 for King Edward; 65 n. 51 for Queen Edith; 59, 66, and 71 for the Godwinesons; and 59 for the Leofwinesons. Note that the footnotes to Fleming's tables on pp. 66–9 have been printed incorrectly: the footnotes to the table relating to King Edward's estates apply to the table relating to the Godwineson estates, and vice versa. Note also that the value attributed to the nights' farm estates held by King Edward on p. 68 (£2,310) is identical with the value attributed to the nights' farm estates held by the Godwinesons on p. 66. By Fleming's reckoning, King Edward's twenty night's farms should be valued at £2,100, the number given in the table above.

²Clarke, *English Nobility*, 205 (Godwinesons), 220 (Leofwinesons), and 162 (King Edward and Queen Edith).

³R. H. Davies, 'The Lands and Rights of Harold, Son of Godwine, and their Distribution by William I: a Study in the Domesday Evidence' (University of Cardiff, MA dissertation, 1967), 3–4.

⁴The estimate of King Edward's resources is that of J. Grassi, 'The Lands and Revenues of Edward the Confessor', *EHR* 117 (2002), 251–83, at 282–3; the estimate of Queen Edith's resources is that of Stafford, *QEQE*, 280.

Leofwine in Domesday Book, and compares these with calculations made by other scholars. The first point to note is that, notwithstanding the problematic nature of Domesday statistics, discrepancies between estimates are for the most part fairly modest. Thus, if the value of estates which rendered the farm of one night is excluded, three of the four estimates of the aggregate value of the estates held by the house of Godwine are between about £5,200 and £5,400 (line 15); and the same three estimates of the value of the Leofwinesons' estates are all between about £2,450 and £2,850 (line 23). There is therefore a broad consensus as to the value of *most* of the estates attributed to King Edward and his earls in Domesday Book. However, the totals given at lines 6, 7, 8, 17, and 25 in Table 4.1 are widely divergent. It follows that certain basic problems of method and interpretation are at issue.

Of these, the most important is the problem as to how one should estimate the value of estates which owed a particular farm or render known as 'firma unius noctis' ('the farm of one night') during the time of King Edward. The farm of one night was, in theory, a food-rent owed by a particular estate which was rendered to, and consumed by, the itinerant lord and his entourage: they would travel to a particular estate, and the burden of feeding and supporting them would then be shouldered by that estate for an agreed period of time.¹⁷ The problem here is to determine a reasonable method for estimating the monetary value for estates which rendered the farm of one night (or occasionally, the farm of one day).

Most entries in Domesday Book record a *valet* or 'value' for each of the estates it describes. This value is generally assumed to be an estimate of the amount of cash which an estate could be expected to yield through rent and other forms of income during the course of a year.¹⁸ Domesday Book often, though not always, records the value of an estate both *TRE* (*Tempore Regis Edwardi*, 'during the time of King Edward'),

¹⁷ For this phenomenon, see Round, *Feudal England*, 111–12; Round, VCH *Essex* i. 336; Clarke, *English Nobility*, 19–20; C. Stephenson, 'The *Firma Unius Noctis* and the Customs of the Hundred', *EHR* 39 (1924), 161–74; repr. in *Medieval Institutions: Selected Essays by Carl Stephenson*, ed. B. D. Lyon (Cornell, 1954), 139–55; P. Stafford, 'The "Farm of One Night" and the Organisation of King Edward's Estates in Domesday Book', *The Economic History Review*, 2nd series 33 (1980), 491–502; R. Lavelle, 'The "Farm of One Night" and the Organisation of Royal Estates in Late Anglo-Saxon Wessex', *Haskins Society Journal* 14 (2003), 53–82.

¹⁸ R. Lennard, *Rural England 1086–1135: A Study of Social and Agrarian Conditions* (Oxford, 1959), 105–212. For a different interpretation, see Roffe, *DIB*, 41–2, 139–40; and D. Roffe 'Domesday Now', *ANS* 28 (2006), 168–87.

i.e. in 1066) and *TRW* (*Tempore Regis Wilhelmi*, 'during the time of King William', i.e. in 1086). Entries relating to estates which rendered a farm of one night rarely record the *TRE* value, but do usually supply a *TRW* value. For example, Williton, Cannington, and Carhampton in Somerset were held by King Edward and later by King William; in the time of King Edward they rendered a farm of one night, but in 1086 they were attributed a value of £100 116s 16.5d (just over £105).¹⁹

The fact that several of King Edward's manors are attributed a render of a night's farm instead of a monetary value *TRE* makes it difficult to calculate the aggregate value of King Edward's estates in ways which are directly comparable with the estates of other landholders.²⁰ Fleming's solution to this problem was to assign a value of £105 to all estates which are said to have rendered the farm of one night.²¹ At first glance, this appears to be a reasonable approach. King William spent considerably less time in England than King Edward had done, so it made sense for him to commute renders in kind for cash rents; and it follows that *TRW* values are a reasonable proxy for the values of nights' farm estates. To judge from the entry for Williton, Cannington, and Carhampton, one might further conclude that £105 is a suitable figure to apply to all night's farm estates. However, there is a flaw in this reasoning: the size and value of nights' farm estates varied considerably.

As Table 4.2 shows, King Edward held the manor of Soham in Cambridgeshire which rendered £25 at face value and three days' farm in corn, honey, malt and everything else *TRE*; in 1086, this manor rendered £25 assayed and weighed, and £13 at face value in white pence for corn, malt, honey and other customary dues. In this instance it is clear that a render of three days' farm had been commuted to a payment of about £13 by 1086. The same applies to King Edward's estate at Fordham in Cambridgeshire. The royal manors of Chirbury, Maesbury, and Whittington in Shropshire were 'waste' *TRE*, but during King Æthelred's reign they had rendered half a night's farm, and in 1086 they together rendered £19 15s.²² Domesday Book records that King Edward held the manors of Walkhampton, Sutton, and King's Tamerton

¹⁹ GDB 86c (Somerset 1:6).

²⁰ For this problem, see Grassi, 'Land and Revenues', 259–62.

²¹ Fleming, *Kings and Lords*, 63 n. 42, citing Round, *Feudal England*, 111–12, who showed that 'from the figures given from Somerset and Wiltshire, it may be fairly concluded that, in this district the value of the "firma" was about £105'. The crucial words here are 'in this district'.

²² GDB 253c (Shropshire 4:1:10–12).

Table 4.2. Selected manors which rendered the 'farm of one night' *TRE*

Place	<i>TRE</i> holder	<i>TRE</i> render	<i>TRW</i> value
Williton, Cannington, and Carhampton ¹	King Edward	1 night's farm	£100, 116s, 16.5d
Soham ²	King Edward	3 days' farm + £25	£13 8s 4d + £25
Fordham ³	King Edward	3 days' farm + £10	£13 8s 4d + £10
Chirbury, Maesbury, and Whittington ⁴	King Edward	waste; earlier 0.5 night's farm ⁵	£19 15s
Walkhampton, Sutton, King's Tamerton ⁶	King Edward	1 night's farm	£11
Northamptonshire ⁷	King Edward	—	3 nights' farm or £30
Oxfordshire ⁸	King Edward	—	3 nights' farm or £150
Necton ⁹	Earl Harold	6 nights' farm	£60
Writtle ¹⁰	Earl Harold	10 nights' farm + £10	£100 + 100s
Brightlingsea ¹¹	Earl Harold	2 nights' farm	£22
Lawford ¹²	Earl Harold	2 nights' farm	£11
Newport and Shelford ¹³	Earl Harold	2 nights' farm	£26
Great Baddow ¹⁴	Earl Ælfgar	8 nights' farm	£17

¹GDB 86c (Somerset 1:6).²GDB 189b–c (Cambridgeshire 1:1).³GDB 189c (Cambridgeshire 1:2).⁴GDB 253c (Shropshire 4:1:10–12).⁵During the reign of King Æthelred II (978–1016).⁶GDB 100c (Devonshire 1:19–22); cf. Exon fo. 87.⁷GDB 219a (Northamptonshire B:36).⁸GDB 154d (Oxfordshire 1:12).⁹LDB 235a–b (Norfolk 22:1–8).¹⁰LDB 5a–b (Essex 1:24).¹¹LDB 6a (Essex 1:26).¹²LDB 6a (Essex 1:27).¹³LDB 7a (Essex 1:28).¹⁴LDB 21b (Essex 15:2).

in Devonshire *TRE*: together these manors rendered a total of £11 by weight in 1086, yet Exon Domesday records that these manors rendered a night's farm *TRE*. In some cases the render of a night's farm was not attached to a particular royal manor but was described as an obligation which fell upon counties. Again, there is considerable variation in the commuted value of these farms. Thus, in 1086, Northamptonshire

rendered three nights' farm or £30 by weight; and an entry in the Oxfordshire Domesday records that in 1086 the shire rendered three nights' farm, *hoc est* £150.

The *TRW* value of the estates held by Earl Harold and Earl Ælfgar which rendered nights' farm *TRE* varied considerably, but was always much less than the value attributed to them by Fleming. Earl Harold held the manor of Necton in Norfolk. This was undoubtedly a substantial manor with berewicks and sokelands in more than two dozen places: the description of the whole structure takes up more than four folios of Little Domesday. Altogether, the manor rendered six 'noctes de firma' *TRE*, and Fleming therefore attributed it a value of £630. Necton was a large manor, but it was not that big: its *TRW* value was £60—that is, £60 for the entire manor per annum, and not £60 in respect of each night's farm. Earl Harold's manor at Writtle in Essex was another substantial manor assessed at sixteen hides *TRE*: it had fourteen demesne ploughs and another sixty-four ploughs 'inter homines'. But Fleming's estimate of the value of the manor—£1,050—is disproportionate: this is the average annual income from a thousand hides, or a county roughly the size of Cambridgeshire. The entry for Writtle records that it rendered ten 'noctes de firma' and £10 *TRE* and £105 in 1086. In both cases, Fleming's calculations are out by a factor of ten. Much the same arguments apply to Earl Harold's Essex manors at Brightlingsea (two nights' farm *TRE*, value of £22 in 1086), Lawford (two nights' farm *TRE*, value of £11 in 1086), and Newport and Shelford (two nights' farm *TRE*, value of £26 in 1086); and to Earl Ælfgar's manor at Great Baddow, also in Essex, which rendered eight nights' farm *TRE* and was attributed a value of £17 in 1086.

These examples demonstrate that it is misleading to apply a uniform value of £105 to all the estates which rendered night's farm *TRE*. A much better approach is simply to estimate a value for each night's farm using corresponding *TRW* values as a proxy where these are available.²³ The results of this exercise are set out in Table 4.1 at lines 2, 16, and 24: my own estimate of the total value of the nights' farm estates held by King Edward, Earl Harold, and Earl Ælfgar are £2,479, £224, and £17 respectively, whereas the corresponding estimates

²³ Grassi, 'Lands and Revenues', 262 uses a slightly different approach, using £100 as 'the value of a night's farm in the two Domesday circuits of southern England ... £50 in the midlands and £10 in East Anglia'. I have used these figures where *TRW* values are not given, but use the actual *TRW* values where they are.

made by Fleming are £2,100, £2,310, and £840. Fleming's method for estimating the value of nights' farm estates thus led her to underestimate the value of King Edward's estates by about £400 and to overestimate the value of the Godwineson estates by about £2,100.

But this is not all. A second significant problem of interpretation is the question as to what to do with the income that King Edward and his earls received from towns, trade, coin, and the profits of justice. That income was considerable. England was wealthy in the eleventh century, and towns were nodal points in the economy where that wealth could be tapped. The king was also the principal financial beneficiary of a highly profitable machinery of justice. In an important paper, Fleming has shown that royal officials commanded a significant presence in towns throughout England for precisely these reasons.²⁴ It is therefore all the more surprising that her estimate of the king's tenurial resources does not take account of this source of income. The descriptions of towns in Domesday Book are much less formulaic than the entries which deal with land tenure, so calculations derived from them must be even more approximate than those relating to income from estates. But they cannot be ignored. A total of about £1,300 of income from these 'non-territorial' sources can be identified—and Fleming's estimate appears not to have taken this into account. The net effect of all this is considerable: whereas her estimate of the total value of Edward's revenues was £5,940, the estimates arrived at by John Grassi and myself are £8,164 and £8,089 respectively. The latter two estimates, which were arrived at independently, are close enough to represent something approaching consensus on the matter.

Two further problems have a significant bearing on the relative tenurial power of King Edward and his earls. First, since Queen Edith was also Earl Godwine's daughter, it is not clear how one should account for her estates. Fleming estimated that Edith's estates were worth about £400, but excluded them from her analysis on the grounds that it is impossible to determine whether these estates should be treated as royal or Godwineson resources.²⁵ However, it is demonstrable that Queen Edith's estates were worth approximately £1,500.²⁶ There is also clear

²⁴ Fleming, 'Rural Elites', *passim*.

²⁵ Fleming, *Kings and Lords*, 65 n. 51.

²⁶ M. Meyer, 'The Queen's 'Demesne' in Later Anglo-Saxon England', in *The Culture of Christendom: Essays in Medieval History in Commemoration of Denis L. T. Bethell*, ed. M. Mayer (London, 1993), 75–113 at 81 estimates that Edith's estates were worth about £1,550 per annum. Stafford estimates the value of Queen Edith's estates at £1,574; my

evidence that Edith held virtually all of these lands as queen.²⁷ Another daughter of Godwine named Gunnhildr held a maximum of four estates which were worth about £30 in total *TRE*: this gives a clear indication of how much (or little) land Edith might have expected to hold had she not married the king.²⁸ Of course, the fact that Edith obtained the bulk of her estates from the king need not have determined how she exercised or deployed her tenurial power: depending on circumstances, Edith could have used this power to the benefit of her kinsmen as and when she was so inclined. However, it is also important to recall that King Edward twice confiscated the queen's estates: the annal for 1043 records that the king brought all the lands of Queen Emma 'forcibly into his own control';²⁹ and in 1051, Edith was packed off to a nunnery and 'deprived of all that she owned'.³⁰ Like that of her brothers, Edith's tenurial fortune was precariously held. For all these reasons, it is on balance better to regard Edith's estates as royal, not Godwineson resources.

Second, many Domesday estates are attributed to earls who were dead or in exile in 1066. The value of the land in question is considerable: £2,340 in total, comprising £779 attributed to Earl Godwine (who died in 1053), £212 to Earl Siward (who died in 1055), £21 to Earl Leofric (who died in 1057) and £92 to Earl Ralph (who died in 1057), £714 to Earl Ælfgar (who died in *c.* 1062–3), and £522 to Earl Tostig (who was still alive but in exile on 5 January 1066). To this list may be added the estates worth £167 which were attributed to Goda, sister of King Edward and mother of Earl Ralph, who 'was probably dead by 1049'.³¹

own estimate is £1,499. The difference between my own estimates and that of Pauline Stafford (which is not material) can be explained as follows. I do not attribute Much Marcle (worth £30 *TRE*) to Queen Edith since the relevant entry says it was held by Earl Harold: GDB 179d (Herefordshire 1:7), but cf. 180a (Herefordshire 1:10c); and I assign Queen Edith two-thirds of the *TRE* value of the revenues from Ipswich (i.e. of £15), and not of the £40 rendered in 1086: LDB 290a (Suffolk 1:122a–g).

²⁷ Stafford, *QEQE*, 123–42; and Meyer, 'The Queen's 'Demesne'', 81–4. Meyer argues that, although some estates were held by successive queens, the landholdings of late Anglo-Saxon queens did not comprise a collection of specific estates, and that in this sense there was no 'queen's demesne'.

²⁸ Hardington in Somerset is the only estate which is explicitly said (in Exon) to have been held by Gunnhildr daughter of Godwine: GDB 87a (Somerset 1:24); Exon fo. 107a (£12, 14s). Von Feilitzen, *PPN*, 277 collects references to three further estates held by women named Gunnhildr; since the name is unusual and the estates all lay in Somerset and Sussex, they were probably held by the same individual. These comprised GDB 86d (Somerset 1:18) (£9, 4s), 88a (Somerset 5:17) (20s), 28d (Sussex 13:29), held from (*de*) Earl Harold (£7).

²⁹ *ASC CE s.a.* 1043. ³⁰ *ASC E s.a.* 1051.

³¹ Williams, 'King's Nephew', 331.

Various explanations for this phenomenon have been suggested: the Domesday commissioners were reliant upon the testimony of jurors whose memory was fallible; and they may have been dependent upon pre-Conquest documents which had been drawn up before 1066.³² All the same, the problem remains: who actually held the estates in question in 1066?

Some may have been held by the wives and sons of earls who were dead in 1066.³³ One entry in Little Domesday records that Earl Ælfgar held Shalford in Essex *TRE*, but another says that his widow Ælfgifu held three houses (*domus*) attached to Shalford, perhaps because she held the estate itself after her husband's death.³⁴ Similarly, Exon Domesday records that Earl Godwine took the third oak from the wood of Burton Bradstock which was attached to the manor of Frampton, whereas Great Domesday says that Gytha held Frampton *TRE*: it is therefore possible that the estate passed to Gytha after Godwine's death.³⁵ The Bayeux Tapestry depicts Earl Harold and his entourage worshipping and feasting at Bosham before his fateful channel crossing late in the Confessor's reign, yet Domesday Book attributed this manor to Earl Godwine.³⁶ In at least two instances, parcels of land attributed to Godwine were berewicks associated with manors held by Harold *TRE*.³⁷ Land at Minton and Whittingslow in Shropshire was attributed to Earl Leofric, yet this land was assessed with Stretton, a manor held by Earl Eadwine *TRE*.³⁸ Drawing on examples such as these, Clarke concluded that, where the history of the lands attributed to earls who were dead before 1066 can be established, those estates 'always appear to have remained in the family'.³⁹

But this is not quite accurate. An entry in the Staffordshire folios says that Earl Ælfgar held two hides at Sheriff Hales *TRE*, but goes on to say that the sheriff claimed the land for the king's farm in 1086 because Earl

³² S. Harvey, 'Domesday Book and its Predecessors', *EHR* 76 (1971), 753–73; Campbell, 'Late Anglo-Saxon State', 18 n. 48.

³³ Davies, 'Lands and Rights of Harold', 6–19; Clarke, *English Nobility*, 16–18; Williams, 'Land and Power', 177.

³⁴ LDB 3b (Essex 1:11), 106b (Essex B3:j).

³⁵ Exon fo. 27a; GDB 75b (Dorset 1:2), 78c (Dorset 17:1).

³⁶ *Bayeux Tapestry*, ed. Wilson, plates 2–4; GDB 16b (Sussex 1:1).

³⁷ Clarke, *English Nobility*, 17–8. Headley in Hampshire, attributed to Godwine, was valued with Bishop's Sutton held by Harold *TRE*, GDB 44c (Hampshire 20:1–2); Godwine held 1.5 hides which belonged to the manor of Rodmell which was held by Harold *TRE*: GDB 26a (Sussex 12:4), 21d (Sussex 10:61).

³⁸ GDB 254a (Shropshire 4:1:27), 259d (Shropshire 4:28:4).

³⁹ Clarke, *English Nobility*, 27.

Eadwine should have held it (*tenuerit*).⁴⁰ One way to interpret this entry is to suppose that the estate reverted to the king after Ælfgar's death and was not subsequently granted to Eadwine, even though he had some claim to it. Either way, the entry suggests that estates were attributed to dead earls even when the Domesday commissioners were aware of the subsequent history of those estates.⁴¹ There is also clear evidence that some of the estates attributed to Earl Tostig reverted to the king's control after 28 October 1065 when Tostig was exiled. The entry for Potton records that 'Hoc manerium tenuit rex Edwardus et fuit comitis Tosti' ('King Edward held this manor, and it was Earl Tostig's').⁴² A similar formulation is used to describe King Edward's tenure of Chalton in Bedfordshire;⁴³ and the entry for Bayford in Hertfordshire reads as follows: 'Hoc manerium tenuit Tostig comes sed rex Edwardus habebat in dominio die quo mortuus est' ('Earl Tostig held this manor but King Edward held it in demesne on the day he died').⁴⁴

These entries are important. They raise the possibility that the distinction between the estates attributed to Tostig and Morcar was not an error arising from chronological confusion, but was rather a quite deliberate distinction between that portion of Tostig's estate which had been granted to Morcar and that portion which remained in the king's hand on the day of his death. This in turn raises the possibility that the estates attributed to earls who were dead (or in exile) by 5 January 1066 may have meant something quite specific to those who compiled Domesday Book. They perhaps represent comital manors which had reverted to King Edward's control following the death (or exile) of a particular earl without being granted to that earl's successor in office. Here it is relevant that Domesday Book identifies the estates 'held' by Odo of Bayeux (imprisoned in 1082) and Earl William fitz Osbern (died 1071), even though the king presumably enjoyed the benefit of these estates in 1086. These parallels strengthen the case for supposing

⁴⁰ GDB 248a (Staffordshire 8:5): 'Hoc manerium calumniatur uicecomes ad firmam regis et comitatus attestatur quod Eduuinus comes tenuerit.'

⁴¹ Cf. GDB 75d (Dorset 1:30), which records that Goda, the sister of King Edward and mother of Earl Ralph who died in *c.* 1049, held 10 hides at Melcombe Horsey in Dorset. The entry adds that 'Earl Harold wrongfully took it away from St Mary's, Shaftesbury'. In this instance, the commissioners seem to have been aware that the estate had been held by St Mary's and Harold, but nevertheless attributed the estate to Goda who had died seventeen years before 1066.

⁴² GDB 217c (Bedfordshire 53:20).

⁴³ GDB 217d (Bedfordshire 54:3).

⁴⁴ GDB 133a (Hertfordshire 1:18).

that King Edward enjoyed the benefit of estates attributed to earls who were dead in 1066.

To sum up: two methodological flaws in Fleming's calculations led her to underestimate the value of King Edward's financial resources by approximately £2,100 and to overestimate the financial resources of the family of Earl Godwine by about £1,100. In other words, the picture of the relative tenurial and financial power of King Edward and the Godwineson family which emerges is almost the mirror image of that proposed by Fleming: so far from the king being about £1,800 poorer than the house of Godwine *TRE*, he was in fact about £2,500 wealthier on the day of his death. It remains true that, during the period between 1055 and 1065 when Tostig was in office, this gap would have been appreciably narrower (Tostig presumably held most of the estates worth about £1,000 assigned to Earl Morcar between these dates). On the other hand, it is also necessary to take account of Queen Edith's estates, and also to register the possibility that King Edward held many of the estates attributed to his sister, Goda, and to earls who were dead or in exile in 1066, in which case £2,500 would be a conservative estimate of King Edward's tenurial superiority at that date.

THE ORIGIN AND NATURE OF THE LEOFWINESONS' TENURES

The jurors of Wotton hundred in Surrey told the Domesday commissioners that Harold (presumably Earl Harold) held the manor of Wotton in King Edward's time, but they did not know *how* he had it.⁴⁵ It is easy to sympathize with these jurors. Domesday Book makes it possible to determine the quantity and location of the estates held by King Edward's earls with a fair degree of precision, but it is considerably more difficult to establish how and on what terms they obtained and retained those estates. However, there is just enough evidence to obtain a sense of the relative importance of the sources from which the Leofwinesons' tenurial fortune was amassed. This section suggests that, although the earls of Mercia and their peers obtained significant amounts of property through inheritance, the spoliation of religious houses, and the exercise

⁴⁵ GDB 36d (Surrey 36:4): 'Heraldus tenuit T.R.E. sed dicunt homines de hundredo quia nesciunt *quomodo* Heraldus habuit' (my italics).

of jurisdictional power, the principal source of their landed wealth was property assigned to them on an 'ex officio' basis.

Inheritance, spoliation and the perquisites of office

Hemming's *codicellus* says that when Godwine, brother of Earl Leofric, was on his deathbed, he made a *testamentum* to the effect that he would restore an estate at Salwarpe in Worcestershire to Bishop Wulfstan and the church of Worcester. It is not clear whether this *testamentum* took the form of a written document or oral testimony or both. Nor is it clear whether it ever took effect, for according to Hemming, Godwine's son Æthelwine drew on the support of his uncle Earl Leofric to retain control of Salwarpe, and Æthelwine continued to hold the estate until shortly after 1066.⁴⁶ All the same, Godwine's *testamentum* remains the only will made by any member of the house of Leofwine about which anything is known. A few scraps of evidence relating to heritable property held by members of the family can be gleaned from other sources. John of Worcester remarked that Earl Leofric and Lady Godiva endowed Coventry Abbey 'de suo patrimonio' ('out of their patrimony'), and they are known to have alienated about ninety hides and fifty carucates worth about £100 for this purpose. Several of the estates held by the members of the house of Leofwine *TRE* were bookland estates which had once been held by Wulfric 'Spott' and his kinsmen; and since Earl Ælfgar's wife Ælfgifu was probably a member of this family, it seems likely that some of these estates descended to her and her kinsmen through inheritance. This is enough to suggest that inheritance accounted for at least a significant minority of the Leofwinesons' estates.⁴⁷

In common with their peers, the Leofwinesons acquired land by despoiling religious houses;⁴⁸ by receiving gifts from landholders who

⁴⁶ *HC*, 259–60; *GDB* 176a (Worcestershire 14:2). It is not clear whether or not the *testamentum* referred to here was a written document. It may have been, but the context (Godwine was on his death bed receiving unction from Bishop Wulfstan and Wiltan, later abbot of Gloucester) suggests that it may simply have been an oral agreement similar to that recorded in *GDB* 177a (Worcestershire 23:1).

⁴⁷ *JW*, ii. 582. For Coventry and Burton, see below, Chapter 5; and for Ælfgifu's family, see Appendix 1. Since thegn Morcar may have been Earl Ælfgar's father-in-law, it is especially striking that several of the estates granted to Morcar in 1009 were held by Ælfgar *TRE*: these included Weston upon Trent, Smalley, Kidsley, and Ingleby in Derbyshire: *S* 922, *GDB* 272c–273a (Derbyshire 1:16–17, 26, 37).

⁴⁸ Below, Chapter 5, esp. 168–77.

were keen to secure their patronage and favour;⁴⁹ and by buying it.⁵⁰ The Leofwinesons' judicial responsibilities also generated occasional opportunities for them to acquire land, for pre-Conquest landholders were liable to forfeit their land to the king and his agents if they failed to perform certain obligations which the king demanded from all landholders.⁵¹ Earls could also acquire land from those who failed to pay tax. Hemming complained that the church of Worcester experienced great difficulty in meeting its tribute payments during Cnut's reign, and that anyone who coveted the church's estates could obtain them simply by paying the amount due from them to the sheriff. He went on to say that Eadwine, brother of Earl Leofric, 'isto modo' seized several estates held by the church including Bickmarsh in Warwickshire, and Wychbold in Worcestershire.⁵² Hugh Candidus says that Peterborough Abbey lost land under similar circumstances: those who had sufficient cash to pay 'nimium tributum' did so, but those who did not lost their land and other possessions. The church of Peterborough lost Howden in Yorkshire and Barrow-upon-Humber in Lincolnshire in this way; and in 1066, Howden was held by King Edward, and Barrow-upon-Humber was held by Earl Morcar.⁵³ Earls could also acquire land which had been forfeited in the judicial process.⁵⁴ The boundary clause of a charter in favour of Ealdorman Leofwine indicates that the estate had been forfeited by a certain Wistan for 'unlawful manslaughter', which makes one wonder whether Leofwine had been responsible for prosecuting Wistan's case.⁵⁵ In addition, it is probable that the third penny gave earls the right to one third of any land forfeited to the king. The men of Stow hundred in Lincolnshire testified that 'super forisfacturas de Wapentaco habet Sancta Maria ii partes socae et comes terciam' ('with respect to the forfeitures of the wapentake, St Mary's has two parts of

⁴⁹ S 1519 and 1535 are East Anglian wills which record bequests to Earl Godwine and Earl Harold. S 1521, datable 1035 × 1044, records a bequest of land to a certain Ælfgar, but there is no evidence to prove that this was the son of Earl Leofric.

⁵⁰ GDB 164b (Gloucestershire 1:63) records that Earl Godwine bought an estate for his wife, and two entries in the Norfolk folios refer to estates which had been sold by Earl Ælfgar: LDB 194b (Norfolk 10:25), 195a (Norfolk 10:30); and cf. *LE*, ii, 97. Perhaps he did so in order to buy property in western Mercia when he was transferred to that earldom in 1057?

⁵¹ II Cn 79 (G text) (Liebermann, i. 366); Lawson, 'The Collection of the Danegeld and Heregeld', 724–5; above, 117 n. 287.

⁵² *HC*, 278; GDB 176d (Worcestershire 19:12), 244b (Warwickshire 43:2).

⁵³ *Hugh Candidus*, 64–5; GDB 304c (Yorkshire 3Y:4), 360b (Lincolnshire 30:1); cf. GDB 141a (Hertfordshire 36:9).

⁵⁴ Above, 117.

⁵⁵ S 892.

the soke and the earl the third'); and the same entry goes on to say that if anyone forfeited their land, St Mary's would have two parts and the earl the third.⁵⁶

Comital manors

In a famous passage in *Domesday Book and Beyond*, Maitland suggested there was a category of property set aside for the use of earls: he called them 'comital manors'. He reasoned that the enormous wealth of the house of Godwine 'seems only explicable by the supposition that the earlships and the older ealdormanships had carried with them a title to the enjoyments of wide lands'.⁵⁷ Maitland went on to cite Exon Domesday which referred to 'mansiones de comitatu',⁵⁸ an entry in Little Domesday which refers to land which belonged to the earldom ('consulatus'),⁵⁹ the description of Stafford in Great Domesday Book which refers to twenty-two houses 'de honore comitum',⁶⁰ and the passage in the *Instituta Cnuti* quoted above which refers to 'comitales villae'.⁶¹

This is a powerful argument, and is one which can be strengthened. There is, to begin with, more circumstantial evidence which points to the existence of comital manors. Place-names are occasionally instructive. Earl Harold held an estate at Aldermaston in Berkshire *TRE*, a place-name which meant 'tun of the ealdorman', and the places named Aldermanbury in Bedfordshire and London could have been ealdormen's burhs.⁶² Boundary clauses occasionally refer to what may have been appurtenances to comital manors: for example, the boundary clause of a royal diploma issued in 1060 refers to the 'ealdermannes mere';⁶³ and that of a diploma issued in 1062 refers to the 'ealdermannes hæcce'

⁵⁶ GDB 376b (Lincolnshire CW:9–11).

⁵⁷ Maitland, *DBB*, 168. This and following four paragraphs are substantially based on S. Baxter and J. Blair, 'Land Tenure and Royal Patronage in the Early English Kingdom: a Model and a Case Study', *ANS* 28 (2006), 19–46, at 23–6.

⁵⁸ Exon, fo. 107a.

⁵⁹ LDB 118b (Norfolk 1:70).

⁶⁰ GDB 246a (Staffordshire B:1–8).

⁶¹ Above, 89.

⁶² GDB 58a (Berkshire 1:44); M. Gelling, *The Place-Names of Berkshire*, EPNS 49 (Cambridge, 1973), 198; A. Mawer and F. M. Stenton, *The Place-Names of Bedfordshire and Huntingdonshire*, EPNS 3 (Cambridge, 1926), 11–12; C. N. L. Brooke and G. Kier, *London 800–1216: the Shaping of a City* (London, 1975), 155; T. Dyson and J. Schofield, 'Saxon London', in *Anglo-Saxon Towns in Southern England*, ed. J. Haslam (Chichester, 1984), 306–8.

⁶³ S 1031.

and ‘cynges hægge’.⁶⁴ An entry in the Nottinghamshire Domesday uses the expression ‘terra comitis’ to identify a parcel of land in the town of Nottingham, and this probably refers to the carucate in Nottingham from which Earl Tostig took the third penny.⁶⁵ Domesday Book also records that the earl’s ‘third penny’ was rendered to several of the estates held by earls, and since the third penny was intended to give earls an incentive to ensure the collection of royal revenue derived from towns, trade, and the profits of justice, it is probable that such estates were held by earls as a function of office.⁶⁶ For similar reasons, estates held by earls to which ‘the soke of the hundred’ or ‘the farm of one night’ pertained are likely to have been comital manors.⁶⁷ Many of the estates held by earls in 1066 are known to have been ancient centres of authority or royal estates at earlier dates.⁶⁸ Others rendered a cash value of £56 and other multiples of £8 *TRE*, which is interesting since various royal dues and exactions were levied at this rate, especially in the Danelaw.⁶⁹ Such hints combine to suggest that when the author of the *Leges Henrici Primi* referred to lands held by virtue of office by earls and others of high rank in the early twelfth century, he was alluding to a much earlier system of royal patronage.⁷⁰

The little that is known of the histories of the estates attributed to earls in Domesday Book is also suggestive. Some are known to have been held by royal officials at earlier dates. A remarkable passage in the Waltham Chronicle, compiled in the late twelfth century drawing on earlier material, says that Æthelstan, son of Tovi the Proud and father of Esger the staller, did not inherit all his father’s property but ‘only that which related to his stallership’ (‘tantum que pertinebat ad stallarium’).⁷¹ The passage goes on to say that, because Æthelstan lacked his father’s wisdom, King Edward transferred many of his estates to Earl Harold; and Domesday Book confirms that several of the estates once held by the family of Tovi the Proud were held by Harold *TRE*.⁷²

⁶⁴ S 1036; ‘hægge’ probably means ‘fence’ or ‘hedge’ in this context.

⁶⁵ GDB 280a (Nottinghamshire B:2–3); above, 103–4.

⁶⁶ Baxter, ‘Leofwinesons’, 77–87.

⁶⁷ Williams, ‘Land and Power’, 174.

⁶⁸ Whitelock, ‘Dealings’, 86; below, 144.

⁶⁹ Baxter and Blair, ‘Land Tenure and Royal Patronage’, 24 n. 29.

⁷⁰ *Leges Henrici Primi*, ed. L. J. Downer (Oxford, 1972), 122: ‘comites et alie potestates in terris proprie potentatus sui’.

⁷¹ *The Waltham Chronicle*, ed. and trans. L. Watkiss and M. Chibnall (Oxford, 1994), 24–5.

⁷² *Waltham Chronicle*, ed. Watkiss and Chibnall, 22, says that Tovi held estates at Hitchin, Lambeth, and Waltham, and Earl Harold held estates at each of these locations

Stallers were royal officials below the rank of earl and above that of sheriff, so this is explicit (albeit late) evidence that property could be set aside for royal officials and could pass from one such official to another. Some of the estates held by earls *TRE* are known to have been held by their predecessors in office. For example, Earl Ælfgar held several estates which had once been held by Ealdorman Æthelwine and his son Leofwine;⁷³ Earl Harold held Much Cowarne in Herefordshire *TRE*, and this estate is known to have been held by Earl Hrani in Cnut's reign;⁷⁴ the Huntingdonshire *clamores* say that Edward gave Swineshead to Earl Siward with sake and soke, and that Earl Harold later held it in the same way;⁷⁵ a charter of King William I shows that Hemingborough in Yorkshire was held by Earl Tostig, and before him by Earl Siward;⁷⁶ and Shipton-under-Wychwood in Oxfordshire and Princes Risborough in Buckinghamshire appear to have been held by Earl Ælfgar and Earl Harold in turn.⁷⁷ In addition, many of the estates attributed earls such as Tostig, Gyrth, Morcar, and Waltheof in Domesday Book were located a long way from their family's heartlands: this is a strong indication that they were acquired with office.

All this is cumulatively suggestive; but there are two further, more compelling reasons for thinking that estates were set aside for earls. First, Domesday Book proves that there was a quantum difference between the wealth of certain earls and the rest of the English aristocracy.⁷⁸ Second,

TRE: GDB 132c (Hertfordshire 1:3), 34b (Surrey 17:1); LDB 15b (Essex 7:1). Gytha 'comitissa' held from Earl Godwine an estate at Wroxall on the Isle of Wight which appears to have been held by Osgod Clapa, Tovi's father-in-law, at an earlier date: S 1391; GDB 39d (Hampshire 1W:14).

⁷³ These included: Weekly (*Rams*, 76–8, GDB 220a (Northamptonshire 1:31)); and Gedney, Lutton, Tydd St Mary, and Great Gransden (S 792; *ECEE*, 165–72, 180–1; GDB 338a (Lincolnshire 1:29–32), 203c (Huntingdonshire 1:5)).

⁷⁴ *HC*, 274; GDB 186b (Herefordshire 19:10). The likelihood that this manor was comital is strengthened by the fact that the third penny of three hundreds was assigned to it *TRE*.

⁷⁵ GDB 208b (Huntingdonshire D:14); Williams, 'The King's Nephew', 339 n. 67.

⁷⁶ Bates, no. 115; cf. GDB 299b (Yorkshire 1Y:5); Whitelock, 'Dealings', 87.

⁷⁷ This may be deduced from the fact that Earl Ælfgar is said to have been the lord of certain wall-dwellings in Oxford which pertained to estates attributed to Earl Harold *TRE*: see GDB 154a and 154d (Oxfordshire B:5 and 1:9), 143c (Buckinghamshire 1:3); Fleming, *Kings and Lords*, 89–90. Princes Risborough had once been held by Ælfgifu, probably the sister of Ealdorman Æthelweard: S 1484.

⁷⁸ Compare Table 4.1 with Clarke, *English Nobility*, 32–4. According to Clarke, 34, 'the largest of the non-earlish estates was valued at £559, and there were ten more worth between £200 and £450. Of the remainder, twenty-six were valued at more than £100 and fifty-one were worth less [i.e. less than £100 and more than £40].' Of

the speed and frequency with which the structure of English earldoms changed during King Edward's reign is most readily comprehensible if it is assumed that there were comital manors in each shire which could be transferred from one earl to another with relative ease.⁷⁹

Many of the Leofwinesons' estates possessed one or more of the characteristic features of comital manors. Some were ancient centres of authority, known to have been held by kings and ealdormen of Mercia at much earlier dates: for example, Bromsgrove in Worcestershire is known to have been held by one of the first known ealdorman of the Hwicce and by the last earl of Mercia.⁸⁰ Earl Ælfgar's manor at Badmondisfield in Suffolk was listed among 'terrae regis de regno quas Picot custodit' ('the lands of the king belonging to the realm of which Picot has charge'): these words described the estate in 1086, but the idea that the estate belonged to the *regnum* was doubtless current before that date.⁸¹ Ælfifu held land in Colchester described as being 'de terra regina'.⁸² The fact that Earl Ælfgar's manor at Great Baddow in Essex received a render of eight nights' farm suggests that it was formerly royal.⁸³ Several of the manors attributed a value of £56 were held by Earl Eadwine and Earl Morcar *TRE*.⁸⁴ The third penny of the dues of the wapentake were attached to the manor of Newark held by Lady Godiva *TRE*;⁸⁵ and the third penny of the borough of Warwick and the pleas of the Warwickshire were attached to Earl Eadwine's estate at Coten located close to the town of Warwick.⁸⁶ Domesday Book records that Earl Morcar held a large number of estates in Northumbria, and since these were located a long way from his family's heartland in the

these, several are known to have been high-ranking royal officials—such as Esger the Staller, Mærle-Sveinn the sheriff, Robert fitz Wymarc, Ralph the Staller, and Bondig the Staller—whose wealth is likely to have in been in part a function of office. All the same, there remains an appreciable gap between the wealth of these men and that of earls Harold, Tostig, Godwine, Ælfgar, Eadwine and Morcar; and a towering gap between them and the rank and file of the English nobility.

⁷⁹ Above, 62–71.

⁸⁰ S 1187; GDB 172b (Worcestershire 1:1). For further examples, see Baxter, 'Leofwinesons', 139–44.

⁸¹ LDB 289b (Suffolk 1:121).

⁸² LDB 106b (Essex B:3j).

⁸³ LDB 21b (Essex 15:2).

⁸⁴ These include the manors of Bloxham and Adderbury, GDB 154d (Oxfordshire 1:7a); Gilling, 309a (Yorkshire 6N:1–2); Pocklington, 154d (Yorkshire 1Y:10); Kilnsea, 323c (Yorkshire 14E:2); Withernsea, 323c (Yorkshire 14E:4); Mappleton, 323d (Yorkshire 14E:5); Hornsea, 323c (Yorkshire 14E:7). In addition, the manors of Bridlington and Burton Agnes were attributed values of £32 and £24 respectively: GDB 299c (Yorkshire 1Y:11), 299d (Yorkshire 1Y:14).

⁸⁵ GDB 283d (Nottinghamshire 6:1).

⁸⁶ GDB 238b (Warwickshire 1:6).

west Midlands it seems unlikely that Morcar acquired them through inheritance or any other private means: the majority of them were probably comital manors which Morcar obtained when he became earl of Northumbria following Tostig's exile in October 1065.

The mechanics of royal patronage

How did the king grant land to his earls, and on what terms were they held? To address this question, it is necessary to confront a difficult and controversial topic: early English land law. In doing so, it is proposed to develop a model proposed by Patrick Wormald. The broad outlines of this are as follows. All land fell into one of two categories: it was either bookland or folkland. Bookland was simply land vested by a royal diploma, and folkland was any (and all) land that was not bookland. The fundamental characteristics of bookland were that it was alienable (i.e. its holder had freedom of disposition), and was held in perpetuity (i.e. grants of bookland were in theory non-revocable). It was thus possible to distinguish between inherited land to which kin could automatically lay claim, and bookland which they could not. These characteristics made bookland a powerful mechanism for making endowments to the church, but from the late eighth century onwards laymen were also granted bookland; and if laymen chose to bequeath bookland estates to their heirs, those estates might rapidly become almost indistinguishable from heritable land.⁸⁷

There are very few extant diplomas which record grants of bookland to late Anglo-Saxon earls. The relevant details are listed in Table 4.3. Given the large number of estates attributed to the Leofwinesons and Godwinesons in Domesday Book, this is a disappointingly meagre crop; but a few points of value can be harvested from it.

To begin with an obvious but necessary point: these diplomas probably represent only a fraction of the bookland estates granted to the houses of Leofwine and Godwine. They survived because the diplomas themselves were at some stage granted to, or lodged with, the monasteries in whose archives they were preserved. It follows that there is a natural bias in the evidence: extant diplomas in favour of late Anglo-Saxon earls

⁸⁷ P. Wormald, *Bede and the Conversion of England: The Charter Evidence* (Jarrow Lecture, 1984), repr. in his *The Times of Bede*, ed. S. Baxter (Oxford, 2006), 135–66; *idem*, 'On *Pa Wæpnedhealf*: Kingship and Royal Property from Æthelwulf to Edward the Elder', in *Edward the Elder, 899–924*, ed. N. J. Higham and D. H. Hill (London, 2001), 264–79.

Table 4.3. Bookland grants in favour of Ealdorman Leofwine and Earl Godwine

Estate	County	DB ref.	Holder <i>TRE</i>
Ealdorman Leofwine			
S 892			
Southam	Warwickshire	6:8	Coventry Abbey
Ladbroke	Warwickshire	16:47	Hereward?
Ladbroke	Warwickshire	17:18	Eadwine
Ladbroke and Radbourne	Warwickshire	17:21	Eadwine
Ladbroke	Warwickshire	17:23	Eadwine
Ladbroke	Warwickshire	17:24	Eadwine
Ladbroke	Warwickshire	17:33	Hereward
S 932			
Mathon	Herefordshire	10:39	Merewine, a thegn of Earl Odda
Mathon	Herefordshire	23:6	Alward, a thegn of Earl Odda
Earl Godwine			
S 970			
Polhampton	Hampshire	3:10	Old Minster, Winchester
Polhampton	Hampshire	31:1	Tostig (presumably Earl Tostig)
S 1009			
Millbrook	Hampshire	3:17	Old Minster, Winchester
S 1022			
Sandford-on-Thames	Oxfordshire	9:3–5	Abingdon Abbey

are bound to record a preponderance of estates which the beneficiaries subsequently alienated.

However, even allowing for patterns of evidence survival it remains significant that, with the exception of that part of Polhampton held by Tostig, none of the estates granted by royal diploma to the Godwinesons and Leofwinesons were held by members of those families in 1066. The two diplomas in favour of Ealdorman Leofwine relate to four different estates, and only one of these, Southam, was held by Coventry Abbey (where the diploma was preserved) *TRE*. Ladbroke and Radbourne were held by two interesting Warwickshire thegns *TRE* (possibly Eadwine the sheriff and Hereward the outlaw) presumably by virtue of a grant from a member of the house of Leofwine.⁸⁸ In addition, the estate at Mathon which had been granted by King Æthelred II to Ealdorman

⁸⁸ Below, 245–7, 261–6.

Leofwine was held in dependent tenure by two thegns of Earl Odda *TRE*. The history of this estate between 1014 and 1066 is opaque, but it is a reasonable guess that Odda at some stage acquired the estate from one of Leofwine's descendants and subsequently gave or loaned the land to two of his men, depositing the title deed at Pershore Abbey where he was eventually buried.⁸⁹ In short, Table 4.3 illustrates a marked tendency for these bookland estates to be alienated—and not only to those religious houses whose archives were responsible for preserving the diplomas in question. The evidence, scarce though it is, suggests that bookland had a special value for the earls who received patronage in this form, partly because it empowered them to become patrons themselves.

It follows that, both in theory and in practice, grants of bookland to earls could constitute a permanent and irrevocable diminution of royal resources.⁹⁰ This being so, one is inclined to doubt whether bookland—land granted in perpetuity with full freedom of disposition—was the principal mechanism used by kings to reward their earls. But what other mechanisms were at the king's disposal?

The answer is probably this: the king assigned *folcland* estates to earls on an 'ex officio' basis, either for life, or for the duration of their term in office. The meaning of folkland must be deduced from only four extant texts and has therefore attracted much controversy.⁹¹ Virtually all the scholars who addressed this question in the nineteenth century concluded that folkland was land which belonged to the folk or the nation: it was the *ager publicus* of England.⁹² Vinogradoff rejected this interpretation in favour of the proposition that 'folkland is land that is held by folkright ... land held under the old restrictive common law, the law which keeps land in families, as contrasted with land which is held under a book'.⁹³ Maitland and Stenton both accepted

⁸⁹ ASC D s.a. 1053. Odda was also remembered as a benefactor of Pershore Abbey: see Williams, *Odda of Deerhurst*, 2.

⁹⁰ A rider here is that bookland could, and often did, revert to royal control for various reasons: for example, bookland could be forfeited, sold or bequeathed to the king. For the forfeiture of bookland estates, see P. Wormald, 'Giving God and King their Due: Conflict and its Regulation in the Early English State', in *Settimana di Studio del Centro Italiano di Studi sull'alto Medioevo* 44 (Spoleto, 1997), 549–90; repr. in his *Legal Culture*, 333–57, at 337, 339, 342, 350–3; also Wormald, 'Lawsuits', 266–70. For the tendency for bookland estates to revert in and out of royal control over the course of several decades, see Baxter and Blair, 'Land Tenure', 35–9.

⁹¹ Baxter and Blair, 'Land Tenure', 21–3.

⁹² P. Vinogradoff, 'Folkland', *EHR* 8 (1893), 1–17, at 1–5.

⁹³ Vinogradoff, 'Folkland', 11; P. Vinogradoff, *The Growth of the Manor*, 2nd edn (London, 1911), 142–3, 244–5, 247.

this argument with some reservations.⁹⁴ John rejected it altogether and argued that folkland was the land available to the king for making loans to his warrior aristocracy.⁹⁵

The proposition that folkland meant simply any land that was not bookland neatly side-steps this whole controversy: folkland could and probably did mean all the different things it has been thought to mean. If so, earls perhaps held at least two distinct species of folkland. Some of their estates were subject to *folcright*, normal hereditary custom: Vinogradoff's folkland. But earls also held many estates as a function of comital office: the *ager publicus* whose existence Vinogradoff sought to deny, and perhaps also the folkland that Eric John envisaged but with an eleventh-century twist—this was the land available to King Edward for making loans to his leading officials.

Where there is sufficient charter evidence to supplement that of Domesday, it is possible to explore the distinction between comital manors and other types of property in further detail. A recently published analysis of Bampton Hundred in Oxfordshire illustrates the potential for research in this area. Bampton Hundred was an early land-unit bounded by the Thames, the Leach, and the Windrush, which had been divided into four distinct and topographically discrete zones by the time of the Conquest. These comprised a 'royal core' focused on Bampton itself which remained in royal hands in 1066; a group of 'ministerial properties' held by bishops, earls, sheriffs and other royal officials located within and close to the royal core; a belt of bookland to the east of Bampton which can be identified in a series of tenth- and eleventh-century diplomas; and a block of comital land to the west of Bampton comprising two large and contiguous manors at Broadwell and Langford held by Ælfgar (presumably Earl Ælfgar) and Earl Harold respectively *TRE*. This topographical pattern is too neat to be coincidence. It is best interpreted as the product of a powerful and coherent system of royal patronage in which the distinctions between bookland and other forms of tenure, including land assigned for the use of earls, mattered a great deal.⁹⁶

On what terms were comital manors held? It has been suggested that many of the comital manors assigned to earls were permanently

⁹⁴ Maitland, *DBB*, 244–58; Stenton, *ASE*, 306–12.

⁹⁵ E. John, 'Folkland Reconsidered', in his *Orbis Britanniae and Other Studies* (Leicester, 1966), 64–127.

⁹⁶ Baxter and Blair, 'Land Tenure and Royal Patronage', 29–44.

alienated and thus came to resemble 'familial property'.⁹⁷ It is surely right to suppose that comital manors which passed through several generations of the same family must have begun to resemble heritable property, at least from the earls' perspective. It is also true that Earl Tostig held a sequence of strategically significant manors in Hampshire and the Isle of Wight, a long way from his Northumbrian earldom; that certain estates to which the 'third penny' was attached were held by Gytha and Lady Godiva; and that Earl Ælfgar and Earl Harold held a considerable quantity of land in East Anglia and south east Mercia a long time after they held comital office in this region. However, none of this proves that earls routinely wrested permanent control of comital manors. The fact that Earl Tostig's lands in Hampshire and the Isle of Wight were strategically important does not prove that they were comital manors. Earls could supplement their share of comital manors by acquiring land from various sources, so it is not at all surprising to discover that some of them held property outside their earldoms. Gytha and Lady Godiva may have negotiated lifelong usufruct of certain 'third penny' estates without enjoying power of alienation.⁹⁸ The 'nights' farm' estates attributed to Harold and Ælfgar in Essex could well have been granted to them for the duration of their lives as opposed to the duration of their period in office.⁹⁹ Indeed, the king may have encouraged his earls to hold widely scattered estates, calculating that this would bring their interests into closer alignment with those of the kingdom as a whole. In short, there is no unambiguous evidence to prove that 'the Godwinesons could permanently alienate land set aside for the endowment of royal officials', and none at all to prove that 'the West Saxon monarchy was in serious trouble' as a result.¹⁰⁰

⁹⁷ Fleming, *Kings and Lords*, 102.

⁹⁸ An entry in the Derbyshire Domesday strongly implies that the earl could alienate the third penny, but only for as long as he lived: GDB 280c (Derbyshire S:5). Here it is also relevant that the wills of two ealdormen's wives are extant, for both include substantial bequests of land to the king: S 1486 (the will of Ælflæd, widow of Ealdorman Byrhtnoth), and S 1494 (the will of Æthelflæd, daughter of Ealdorman Ælfgar and wife of Ealdorman Athelstan). It is possible that these women had been granted usufruct of certain comital manors on the understanding that they would revert to the king when they died.

⁹⁹ Cf. an entry in the Gloucestershire folios, which records how King Edward lent (*acomodauit*) an estate to Alwine the sheriff 'ut in uita sua haberet non tamen dono dedit ut comitatus testatur': GDB 167b (Gloucestershire 34:8).

¹⁰⁰ Fleming, *Kings and Lords*, 102.

OBSERVATIONS AND HYPOTHESES

‘Possibly’, ‘perhaps’, ‘it is conceivable that’: such have been the leitmotifs of this necessarily speculative chapter. Like the jurors of Wotton hundred—indeed because of those jurors and others like them—one is compelled to express conclusions as they did, using the language of doubt. All the same, it may be as well to make some hypotheses explicit by way of conclusion.

The Leofwinesons acquired their estates from various sources. Some came to them through inheritance, the land market, the spoliation of religious houses, and the perquisites of comital office. Many were assigned to them by the king in the form of bookland, which could be alienated, and folklund which could not. It is not possible to quantify the relative importance of these sources of landed income with any precision, but the balance of evidence suggests that a substantial proportion, and probably the overwhelming majority of the Leofwinesons’ estates were comital manors, assigned to them by the king on an ‘*ex officio* basis’, for as long as they held office.

Not surprisingly, therefore, the Leofwinesons held property in each of the regions where they served as ealdormen and earls. These included an important group of estates in Worcestershire and Warwickshire, where Leofwine first held office, and where the family’s tenurial heartland remained; a dense concentration of estates in north-west Mercia, which Earl Leofric presumably acquired when his earldom expanded into this region during the second half of Cnut’s reign; a modest scattering of estates in East Anglia and the east Midlands where Ælfgar held office in the 1050s; and a large concentration of estates in the north which Morcar presumably acquired together with the earldom of Northumbria in 1065. Earl Ælfgar also controlled a string of very large manors in the Thames Valley. This suggests that the Leofwinesons’ tenurial resources grew out of a core in the west Midlands, expanding to the east and north as the extent of their power expanded in these directions. The Leofwinesons enjoyed a position of tenurial dominance in many parts of the Midlands. There were eight shires (Cheshire, Shropshire, Staffordshire, Warwickshire, Yorkshire, Nottinghamshire, Lincolnshire and Middlesex) where they held more land than the king and any other comital house in 1066, and another six shires (Worcestershire, Derbyshire, Leicestershire, Oxfordshire, Northamptonshire, and Huntingdonshire)

where the Leofwinesons held less land than the king but more than any other comital house.¹⁰¹ Nevertheless, the tenurial wealth of the house of Leofwine was eclipsed by that of the house of Godwine. Whereas the Leofwinesons held no land at all south of the Thames, the Godwinesons held land throughout England (see Plate 2). In 1066, the total value of the Leofwinesons' estates was only about half that of the Godwinesons; and between 1057 and 1065, the tenurial dominance of the Godwinesons would have been greater still.

All this adds a further dimension to the paradox which lies at the heart of this book. Just as the Leofwinesons were powerful yet insecure, so they were extraordinarily wealthy in a precarious way. These were among the reasons why they were so assiduous in cultivating support among the monasteries of Mercia.

¹⁰¹ See Appendices 2, 3, and 4.

The Earls and the Monasteries of Mercia

INTRODUCTION

John of Worcester's annal for 1057 contains a remarkable obituary notice for Earl Leofric:

Excellentis uir memorie laudabilis comes Leofricus, ducis Leofuuini filius, in propria uilla que dicitur Bromleaga ii kalend. Septembris in bona decessit senectute, et Couentreo sepultus est honorifice. Quod monasterium inter cetera bona que in sua uita gessit opera, ipse et uxor eius, Dei cultrix, sancteque Marie semper uirginis amatrix deuota, nobilis comitissa Godgiua, de suo patrimonio a fundamentis construxerunt, et id terris sufficienter locupletauerunt ornamentis uariis adeo ditauerunt ut in Anglia tanta copia auri, argenti, gemmarum, lapidumque pretiosorum in nullo inueniretur monasterio, quanta tunc temporis habebatur in illo. Leonense etiam et Wonlocanense cenobium sanctique Iohannis baptiste ac sancte Wereburge uirginis monasteria in Legeceastra sita, et ecclesiam, quam Lindicolinensis presul Eadnothus in loco famoso qui sancte Marie Stou Anglice, Latine uero sancte Marie locus, appellatur, <construxit>, pretiosis ditauerunt ornamentis. Wigornense quoque monasterium terris et Eoueshamnense edificiis, ornamentis uariis terrisque locupletauerunt. Huius itaque comitis sapientia quandiu uixit regibus omnique Anglorum populo multum profecit.

[Earl Leofric, that praiseworthy man of excellent memory, son of Ealdorman Leofwine, died at a good old age in his vill called Bromley on 31 August, and was honourably buried at Coventry. Among the other good works which he performed during his life, he and his wife, the noble Lady Godiva, a worshipper of God and devout lover of St Mary ever-virgin, built the monastery there from the foundations out of their own patrimony, and endowed it adequately with lands and made it so rich in various ornaments that in no monastery in England might be found the abundance of gold, silver, gems and precious stones that was at that time in its possession. They enriched with precious ornaments the monasteries of Leominster and Wenlock too, and the monasteries at Chester of St John the Baptist and of St Wærburh the virgin, and the church which Bishop Eadnoth of Lincoln <built> in the famous place which is called Stow

St Mary in English, and in Latin the place of St Mary. They also endowed the monastery of Worcester with lands, and that at Evesham with buildings, various ornaments, and lands. The wisdom of this earl during his lifetime was of great advantage to the kings and the people of the English.]¹

This chapter tests the veracity of this passage by examining the known connections between Leofric, his family, and the monasteries of Mercia.

This is not a straightforward exercise, for the relevant material is both voluminous and problematic. Most of it was produced in the eleventh and twelfth centuries at a time when religious communities faced wide-ranging threats to the integrity of their endowments, and began to use a greater range of written instruments in order to protect them. Consequently, all of the material relating to the Leofwinesons' religious patronage must be analysed carefully, in context, before conclusions can be drawn from it. What follows, therefore, is a series of case studies, each concerned with material preserved in the archives of particular religious houses. The analysis is necessarily dense in places; but also, it is hoped, rewarding, for more is known about the religious behaviour of the house of Leofwine than any other aristocratic family in late Anglo-Saxon England; and monastic patronage was vital among the Leofwinesons' survival strategies, since it enabled them to build up networks of allegiance in the regions where they held office. Although ostensibly concerned with religious patronage, this chapter is no less concerned with politics and power than is the remainder of the book.

COVENTRY

It seems logical to begin this chapter's circuit around the monasteries of Mercia at the point where that of Earl Leofric ended: at Coventry, his *eigenkirche*, the monastery which he built and endowed, and where he and wife were buried. In view of its importance to the Leofwinesons, it is unfortunate that its early history is so difficult to reconstruct, principally because there is a large quantity of late and problematic evidence. In what follows, I begin by listing this evidence, approximately in chronological

¹ JW *s.a.* 1057 (ii. 582–3).

order, and then address two questions: how large was the original endowment of Coventry, and when was the monastery itself founded?

Recent excavations on the site of the twelfth-century cathedral at Coventry have produced a small amount of fabric and a burial, possibly associated with the cathedral's Anglo-Saxon predecessor.² The earliest extant documentary evidence relating to Leofric's foundation is an original diploma of King Æthelred II in favour of Ealdorman Leofwine concerning an estate at Southam in Warwickshire. Southam was one of the estates which Earl Leofric granted to Coventry, and it is therefore probable that the diploma was deposited with the abbey at the time of the foundation.³ The only other document which is likely to have been composed during Earl Leofric's lifetime is an apparently authentic writ of King Edward which confirms that Abbot Leofwine of Coventry should be entitled to sake and soke, toll and team over his lands and men as completely as Earl Leofric had them (this survives in a fourteenth-century copy).⁴

There is a mixed bag of material relating to the Leofwinesons and Coventry which dates from *c.* 1057–1100. This is of four main types. First, MS D of the *Anglo-Saxon Chronicle* states that Earl Leofric was buried at Coventry.⁵ Second, Domesday Book proves that Coventry was endowed with estates in Warwickshire, Gloucestershire, Leicestershire, Northamptonshire, and Worcestershire. Third, it is possible that the *Vision of Earl Leofric* was composed at Coventry shortly after Leofric's death.⁶ Fourth, there is a collection of material which bears on the

² S. Bassett, *Anglo-Saxon Coventry and its Churches*, Dugdale Society Occasional Papers 41 (2001), 1, 7; M. Rylatt and P. Mason, *The Archaeology of the Medieval Cathedral and Priory of St Mary, Coventry* (Coventry, 2003), 12–15, 75.

³ S 892; cf. S 1000 and 1226.

⁴ S 1099.

⁵ ASC D *s.a.* 1057.

⁶ This hypothesis must reckon with evidence which points to a Worcester provenance: Worcester is known to have been an important cultural centre in the late eleventh and early twelfth centuries; the only extant text of the *Vision* is preserved in a Worcester manuscript; and in the 1130s, Osbert of Clare obtained a version of the *Vision* from Worcester which he claimed had been written there: see Ker, *Catalogue*, no. 64 art. b; *English Benedictine Libraries: The Shorter Catalogues*, ed. R. Sharpe *et al.*, Corpus of British Medieval Library Catalogues 4 (London, 1996), 653–4; Jackson, 'Osbert of Clare and the *Vision of Leofric*', 277–80. However, the fact that the text was preserved at Worcester does not prove it was originally composed there; indeed, precisely that assumption may have persuaded Osbert that it was. It is also difficult to believe that the *Vision* was composed in the same monastery as Hemming's *codicellus*—a text which accuses Leofric and his men of despoiling Worcester property (even though, as Stokes shows, Hemming's hand is present elsewhere in the manuscript which preserves the *Vision*: Stokes, 'The *Vision of Leofric*: Manuscript, Text and Context'). The evidence that the *Vision* was composed at Coventry is as follows. In the text of the *Vision*, Leofric is

career of Leofwine, the first abbot of Coventry, mostly written during his lifetime or shortly afterwards. Leofwine became abbot of Coventry at the date of its foundation, was appointed bishop of Lichfield in 1053, and was forced to resign his see in 1071. The remainder of his career is impossible to reconstruct. He may have resigned the abbacy between 1053 and 1071, and may have recovered it in the mid 1070s, for a certain 'Leofwine of Coventry' appears to have been present at the council of London in 1075. Leofwine later acquired a reputation for having alienated some of Coventry's estates.⁷

All this must be supplemented with twelfth-century material. The monks of Coventry added a *titulus* to a bede roll for Abbot Vitalis of Savigny (d. 1122) requesting prayers for Earl Leofric and Lady Godiva.⁸ A 'Peterborough interpolation' into the annal for 1066 in MS E of the *Anglo-Saxon Chronicle*, written in the early 1120s, records that

said to have predicted that he 'sceolde cuman to Cofantreo' ('should come to Coventry') a fortnight before his death (*Vision*, line 90). This choice of verb suggests that the author was at Coventry: if he had been elsewhere, it would surely have been more logical to write 'go'. In addition, there are various features of the text—its interest in liturgy, its references to mass-priests, the prominence it gives to Leofric's retainers—which are consistent with the hypothesis that the *Vision* was composed by someone who had served in Leofric's household, perhaps as his mass-priest. For these reasons, it is worth entertaining the possibility that Abbot Leofwine was involved in its production, for as well as being the first abbot of Coventry, Leofwine was also the son of Wulfwine, one of the earl's most prominent retainers (below, 240–1). It is therefore tempting to speculate that the text was composed at Coventry to supply the community there with edifying memories of their founder's piety, and perhaps to act as a stimulus for a cult.

⁷ For Leofwine's career, see ASC CD *s.a.* 1053, D *s.a.* 1054; S 1098, 1099, 1140, 1155; Keynes, *Atlas*, Table 72; Bates, nos. 104, 292; *Letters of Lanfranc*, nos. 2, 11 (n. 16), and 27; M. Brett, 'John of Worcester and his Contemporaries', *The Writing of History in the Middle Ages: Essays Presented to Richard William Southern*, ed. R. H. C. Davis, J. M. Wallace-Hadrill and M. Keen (Oxford, 1981), 101–26, at 106 n. 1; *EEA* 14, p. xxvii n. 19. See further F. Barlow, *The English Church 1000–1066: A Constitutional History* (London, 1963), 85, 218–19; *idem*, *The English Church 1066–1154* (London, 1979), 62; *EEA* 14, pp. xxv–xxix. For the possibility that Leofwine 'I' and 'II' (as defined by *HRH*, 40) were identical, see *EEA* 14, pp. xxvi–xxvii; and note further that in one of his charters (*RRAN*, iii. no. 246) King Stephen strongly implies that Leofwine was abbot of Coventry 'tempore regis Edwardi et regis Willelmi avi mei'. The name was common, but since Leofwine had the same name as Leofric's father, it is possible that they were kinsmen.

⁸ Sir Alfred Clapham, 'Three Bede Rolls', *Archaeological Journal* 106 (1952 for 1949), Supplementary Volume, 40–54 at 47 (*Titulus* 88); *Rouleau mortuaire du B. Vital, Abbé de Savigny Contenant 207 titres écrits en 1122–23 dans différentes églises de France et d'Angleterre*, ed. L. Delisle (Paris, 1909), pl. xxv (facsimile): 'Titulus sancte Trinitatis et sanctae Marie Couantrensis ecclesiae ... Orate pro nostris, Leourico comite, Godiua comitissa, Leofuuino episcopo, Rodberto episcopo, Burningio priore, Goduino, Patricio, Thoma, monachis, et pro omnibus aliis nostris defunctis'.

Earl Leofric ‘ær heafde macod’ (‘had earlier built’) Coventry.⁹ John of Worcester is the first chronicler to associate Coventry with Godiva: as we have seen, he thought that both Leofric and Godiva were responsible for the construction and endowment of Coventry.¹⁰ William of Malmesbury also attributed the foundation of Coventry to both Leofric and Godiva, adding that they were buried ‘in ambabus porticibus’ (‘in the twin *porticus*’) of the church they had built there.¹¹ There are some erroneous variations on these accounts: Orderic thought that Earl Ælfgar had built a monastery at Coventry, and endowed it lavishly with renders (*redditis*) for the maintenance of the monks established there;¹² and Henry of Huntingdon attributed the foundation solely to Godiva.¹³

There is also a sequence of charters which were forged in the mid twelfth-century. These comprise:

1. A charter, ‘dated’ 1043, which purports to be issued by Leofric, ‘earl of Chester’, in order to found Coventry Abbey and to endow it with certain estates. Some versions of this charter incorporate
2. a license of Pope Alexander II for Leofric to found the monastery.¹⁴
3. A diploma of King Edward which purports to confirm Leofric’s foundation, and which in some versions incorporates
4. a privilege of Pope Alexander II addressed to King Edward.¹⁵
5. A writ of King Edward which confirms the gifts made by Leofric and Godiva to Abbot Leofwine and the brethren at Coventry, and grants the latter judicial and financial rights;¹⁶ and
6. a writ of King William confirming that he has granted to St Mary’s, Coventry all the grants made by Earl Leofric with sake and soke and toll and team as confirmed by the charters of William’s kinsman, King Edward.¹⁷

It is not necessary to list the various inconsistencies, anomalies and absurdities which condemn these documents as forgeries.¹⁸ Most scholars would now accept that the charters were made, probably by Osbert

⁹ *ASC E s.a.* 1066; *MS E*, ed. Irvine, 87.

¹⁰ *JW s.a.* 1057 (ii. 582).

¹¹ *WM, GP*, 470–1; *WM, GR*, 348–50.

¹² *OV*, ii. 216.

¹³ *HH*, 380.

¹⁴ *S* 1226. The only printed edition which includes Pope Alexander’s licence is J. C. Lancaster, ‘The Coventry Forged Charters: a Reconsideration’, *Bulletin of the Institute of Historical Research* 27 (1954), 113–40, at 140.

¹⁵ *S* 1000.

¹⁶ *S* 1098.

¹⁷ Bates, no. 104.

¹⁸ *Crawford Collection of Early Charters*, ed. Napier and Stevenson, 94–5, 100; J. Tait, ‘An Alleged Charter of William the Conqueror’, in *Essays in History Presented to Reginald Lane Poole*, ed. H. W. C. Davis (Oxford, 1927), 151–67; *Writs*, 37, 214–19; Lancaster,

de Clare, in a school of forgery which flourished at Westminster Abbey under Abbot Gervase;¹⁹ that they were produced late in the reign of King Stephen, probably at the instigation of Prior Lawrence;²⁰ and that, although there may have been subsidiary considerations,²¹ the main purpose of the forgeries was to elicit royal and papal sanction for the protection of the priory against episcopal intervention and control.²²

Finally, there are fragments of information gleaned from various late sources. William Dugdale knew of a chronicle written by Geoffrey, prior of Coventry (1216–35). This chronicle has since been lost, but Dugdale published an extract from it which records that Coventry Abbey was built by Earl Leofric and Lady Godiva to house twenty-four monks, and that it

‘Coventry Forged Charters’; P. Chaplais, ‘The Original Charters of Herbert and Gervase Abbots of Westminster (1121–1157)’, in *A Medieval Miscellany for Doris Mary Stenton*, ed. P. M. Barnes and C. F. Slade, Pipe Roll Society, n.s. vol. 36 (London, 1962), 89–110 (repr. with addendum in *Essays in Medieval Diplomacy and Administration* (London, 1981), no. 18); R. H. C. Davis, ‘An Unknown Coventry Charter’, *EHR* 86 (1971), 533–45; Keynes, ‘Regenbald the Chancellor’, 198.

¹⁹ See Chaplais, Davis, and Keynes, as previous note.

²⁰ Davis, ‘Unknown Coventry Charter’; *Early Records of Medieval Coventry*, ed. P. R. Coss, Records of Social and Economic History, n.s. 11 (Oxford, 1986), pp. xv–xix; M. J. Franklin, ‘The Bishop of Coventry and Lichfield, c. 1072–1208’, in *Coventry’s First Cathedral*, ed. Demidowicz, 118–38 at 120–1; *EEA* 14, pp. xxiii–li, 77–101.

²¹ The forgers’ motives perhaps included:

(i) The wish to state (or reiterate) the priory’s claim to lordship rights in Coventry. Some, but not all versions of S 1000 and S 1226 include ‘half the vill of Coventry’ among the list of estates granted by Earl Leofric. On the significance of this, see Lancaster, ‘Coventry Forged Charters’, whose thesis is criticised by Davis, ‘An Unknown Charter’.

(ii) A desire to extend the list of ‘liberties’ which the priory enjoyed, including freedom from intervention from secular magnates and officials. In S 1000, King Edward commands that Coventry should render nothing to the king or the king’s officers, and Pope Alexander’s letter enjoins that the church should enjoy its privileges ‘sine conuexatione ... alicuius iudiciariae potestatis cuiuscumque ordinis uel dignitatis’. Here it is significant that Robert Marmion II had driven the monks of Coventry out and turned the church into a fortress in 1144 (Davis, ‘Unknown Charter’, 535).

(iii) The wish to possess a formal Latin diploma, perhaps in order to replace a will or memorandum in Old English.

²² S 1226 and S 1000 both contain clauses protecting the church from episcopal intervention. Owing to the relative poverty of the see of Coventry and Lichfield (and Chester), several of its bishops seem to have exploited the tenurial resources of Coventry Priory. For this, and the resulting tension between bishops and the monks of Coventry throughout the late eleventh and twelfth centuries, see Franklin, ‘Bishops of Coventry and Lichfield’; and *EEA* 14, pp. xxiii–li, 77–101.

was consecrated by Archbishop Eadsige of Canterbury (1038–50) on 4 October 1043. It also lists the heads of Coventry between Abbot Leofwine and Prior Lawrence.²³ Two Coventry manuscripts now in the Bodleian Library contain late but important information. MS Digby 104 contains a list of alienations of Coventry property made by Abbot Leofwine, Bishop Robert de Limesey (1085–1117), and Bishop Roger de Clinton (1129–48) which appears in an appendix to a list of books belonging to Coventry Priory written *c.* 1240 by John of Bruges, a monk of the house.²⁴ MS Douce 139 contains a list of obits written in a thirteenth-century hand which includes those of Leofric (28 September) and Godiva (10 September).²⁵ A *Historia Regum* written by John Rous, a fifteenth-century Warwickshire antiquary, contains an account of the conquest of England by Cnut which supplies some interesting matter relating to the early history of Coventry. Rous says that Cnut and Ealdorman Eadric (*Edricus proditor Merciam*) ravaged Warwickshire in 1016, adding that

Coventriæ destructa est abbatia monialium, cuius quondam abbatisa erat Sancta virgo Osburga, ibi modo nobili scrineo collocata, ubi in brevi post nobilis comes Merciorum Leofricus et domina Goditha uxor sua nobile erexerunt monasterium monachorum, et nunc est sedes episcopalis.

[The abbey of nuns of Coventry was destroyed, of which Saint Osburh the Virgin, who now lies in a noble shrine there, was formerly abbess. There, not long afterwards, the noble Earl Leofric and Lady Godiva his wife built a noble monastery of monks, which is now the episcopal seat.]²⁶

Finally, there is topographical evidence that Coventry was the focal point of a large, multi-vill parish of the kind associated with early Anglo-Saxon minsters.²⁷

Two points need particular attention here: the size of the endowment granted to Coventry by Leofric Godiva, and date of the monastery's

²³ *Monasticon*, iii. 182 n. 1; Lancaster, 'Coventry Forged Charters', 115 n. 1; *EEA* 14, p. xxvii n. 18.

²⁴ Oxford, Bodleian Library, MS Digby 104 fo. 171; printed in *Monasticon*, iii. 182 n. 1, and in *EEA* 14, p. xxvii n. 19, and nos. 2 and 16, with analysis 79–97.

²⁵ Above, 43 n. 124.

²⁶ John Rous, *Historia Regum Angliae*, ed. T. Hearne, 2nd edn (Oxford, 1745), 104. When Leland visited Coventry, he encountered a different tradition, referring to the suppressed 'abbey-churche, where sometyme Kynge Canute the Dane made an howse of nunes. Leofrike, Erle of the Merches, turnyd it in Kynge Edward the Confessor's dayes to an howse of monks and adornid it with gold and sylvar incredibly': *The Itinerary of John Leland in or about the Years 1535–1543*, ed. L. Toulmin Smith with foreword by T. Kendrick, 11 parts in 5 vols. (London, 1964), ii. 107.

²⁷ Bassett, *Anglo-Saxon Coventry and its Churches*, *passim*.

foundation or refoundation. S 1226, Leofric's 'foundation charter', supplies a list of twenty-five villis which Leofric supposedly granted to the monastery in 1043.²⁸ It is significant that this is not simply a list of estates held by Coventry in 1086. Indeed, there are important differences between the twenty-five villis supposedly granted by Leofric and the estates attributed to the abbey in Domesday Book. Twelve estates are attributed to Coventry in Domesday Book which are not listed in the forged charters;²⁹ and four estates are listed in the forged charters which are not attributed to Coventry in Domesday Book.³⁰ It is worth reflecting on what may account for these discrepancies.

Two possibilities come to mind. First, the forgers may have intended to draw a line under the tenurial losses which Coventry sustained between 1066 and the late 1140s. Although late evidence, the list of alienations in Bodleian MS Digby 104 can, in several instances, be verified with reference to other documents, including sometimes the *acta* of the very bishops who stand accused in the list. The evidence must therefore be taken seriously. It records that Abbot Leofwine, Bishop Robert, and Bishop Roger de Clinton were responsible for the alienation of approximately twenty-five different pieces of property (including parcels of land and some churches together with their tithes). Some of these alienations were reversionary grants or involved property that was recovered by the priory at a later date, but some of the property was never recovered. It is clear that successive bishops of Lichfield, Coventry, and Chester systematically exploited the resources of the priory to augment the impoverished tenurial resources of their see.³¹ The list of estates in the forged charters may have been an attempt to stem such losses.

There is a second possibility (though the two are not necessarily mutually exclusive). The list of estates in the forged charters may have been drawn from an authentic charter issued by Earl Leofric. The survival of at least three authentic charters (including two apparent originals) from the Coventry archives proves that Leofric's original 'foundation charter'

²⁸ S 1000 supplies a similar list, although the estates are listed in a different order and the charter omits the estate of Potter's Marston in Leicestershire. 'Half of Coventry' is listed in some but not all manuscripts of S 1000: Lancaster, 'Coventry Forged Charters', 120.

²⁹ Stapleton and Kirkby Mallory in Leicestershire; Cold Ashby and West Haddon in Northamptonshire; Fillongley, *Surland* (unidentified), Binley, Coundon, Cubbingdon, Clifton-upon-Dunsmore, Harbury, and Radway in Warwickshire.

³⁰ Half of the vill of Coventry, Marston-in-Wolston (juxta Avon) and Ryton-on-Dunsmore in Warwickshire, and Eaton-on-Dee in Cheshire; see below, 160 n. 34.

³¹ See above, 157 n. 22.

could have been extant in the mid twelfth century.³² The motive for the production of the 'Coventry forgeries' cannot have been to exaggerate the extent of the abbey's original endowment, since if had this been the case, the forgeries surely would, at a minimum, have listed all the estates attributed to Coventry in Domesday Book. There are also straightforward explanations which could account for the discrepancy between the list of villis in S 1226 and the Domesday evidence. Leofric's original endowment could have been augmented by subsequent benefactions and other acquisitions between c. 1043 and 1066. Indeed, at least one subsequent acquisition is known: the Warwickshire Domesday records that Æthelwine the sheriff granted Clifton-upon-Dunsmore to Coventry for the sake of his soul with the assent of King Edward (although the estate was subsequently seized by Earl Aubrey).³³ The four estates which occur in the forgeries but which are not listed in Coventry's Domesday fee were all held by members of the Leofwineson family or by Æthelwine the sheriff *TRE* (it was probably their intention that these estates should revert to Coventry).³⁴ In short, the discrepancies between the forged charters and the Domesday evidence are entirely consistent with the hypothesis that the list of twenty-five villis in the forged charters was taken from authentic material now lost.

When was Coventry founded and what if anything did it replace? It is difficult to know what to make of Rous's assertion that St Osburh's nunnery was destroyed in 1016 by Eadric and Cnut. The easiest solution would be to dismiss the matter as unreliable late medieval tradition. Rous is not a reliable source for the history of the fifteenth century let alone for that of the eleventh.³⁵ St Osburh did not have a feast day until one was assigned to her in the early fifteenth century.³⁶ However, in

³² S 892, 898, 1099.

³³ GDB 238d (Warwickshire 6:9), 239c (Warwickshire 14:2); cf. GDB 238d (Warwickshire 6:5).

³⁴ Coventry was held by Lady Godiva, Marston-in-Wolston was held by Earl Ælfgar, Eaton-on-Dee was held by Earl Eadwine, and Ryton-on-Dunsmore was held by Æthelwine the sheriff: GDB 239c (Warwickshire 15:6), 241c (Warwickshire 17:48), 263d (Cheshire 1:13), 240d (Warwickshire 17:6).

³⁵ See John Rous, *The Rous Roll*, ed. W. Courthorpe (1859), repr. with an historical introduction on John Rous and the Warwick Roll by C. Ross (Gloucester, 1980); and N. Orme, 'Rous, John (c.1420–1492)', in *ODNB* (2004), who observes: 'As a historian, Rous can be faulted. He is often inaccurate about dates and details, and he mingled history with legend.'

³⁶ Bassett, *Anglo-Saxon Coventry*, 30 n. 94; J. Blair, 'A Handlist of Anglo-Saxon Saints', in *Local Saints and Local Churches in the Early Medieval West*, ed. A. Thacker and R. Sharpe (Oxford, 2002), 495–565, at 548–9.

this instance, Rous may have been drawing on authentic early tradition. A note written in a fourteenth-century hand in MS Bodley 548 refers to a nunnery at Coventry 'in ancient times'.³⁷ More significantly, a list of saints' resting places preserved by Hugh Candidus records that St Osburh's resting place was Coventry;³⁸ and S 1226 records that the abbey was originally dedicated St Mary, St Peter, All Saints *and* St Osburh the Virgin—an unlikely detail for a forger to invent. In addition, the assertion that St Osburh's nunnery was destroyed by Eadric and Cnut in 1016 can be compared with the annal for that year in the *Anglo-Saxon Chronicle*, which records that Cnut and Eadric ravaged the county of Warwickshire.³⁹

All this bears on a related problem, the date of the foundation of Coventry. There are good reasons for thinking that the Benedictine monastery at Coventry was *consecrated* in 1043.⁴⁰ However, it has been suggested that the monastery may have been *built* before that date.⁴¹ This suggestion is strengthened by the discovery of pre-Romanesque stone fabric and an Anglo-Saxon burial on the site of the twelfth-century cathedral church.⁴² It receives further support from two pieces of documentary evidence. The first of these is a passage in William of Malmesbury's *Gesta Regum*, which says that Archbishop Æthelnoth (1020–38) went to Rome, adding that on his way home, at Pavia, he bought an arm of St Augustine for one hundred talents of silver and a talent of gold and despatched it to Coventry.⁴³ Æthelnoth could have acquired this relic was when he went to Rome to collect the pallium in 1022, and if William was correct in thinking that the relic was sent to Coventry by Æthelnoth himself, this must have happened before 1038

³⁷ Oxford, Bodleian Library, MS Bodley 548, fo. 166v; Lancaster, *Godiva of Coventry*, 14; *VCH Warwickshire*, iii.6 n. 3: 'fuit antiquis temporibus super ciuitatis Couentrie preterfluentes riui alueum Shyrebourne ab incolis appallatum quondam puellarum deo dedicatarum monasterium situm'.

³⁸ *Hugh Candidus*, 62. This chronicle was written in or after 1155, but the list is derived from earlier matter: see D. W. Rollason, 'Lists of Saints' Resting-Places in Anglo-Saxon England', *ASE* 7 (1978), 61–93, at 69–72.

³⁹ *ASC CDE s.a.* 1016.

⁴⁰ Prior Geoffrey (as 158 n. 23 above) supplies the day and month as well as the year of the consecration ceremony (4 October 1043)—a circumstantial detail which suggests that his source may have been independent of the forged charters which supply only the year.

⁴¹ Hunt, 'Piety, Prestige, or Politics', 100–1.

⁴² Above, 154 n. 2.

⁴³ *WM*, *GR*, 330. Elsewhere (*WM*, *GP*, 470), William records that Coventry had an arm of St Augustine kept in a silver reliquary which bore an inscription showing that the relic had been purchased at Pavia by Archbishop Æthelnoth.

when Æthelnoth died. This in turn suggests that there was a religious house at Coventry at some stage between these two dates.

The second piece of documentary evidence is a letter from Archbishop Lanfranc to Pope Alexander II which records the deposition of Leofwine, bishop of Lichfield. This says that when Leofwine was forced to resign his see at the king's court in Easter 1071, he then made his way back to the monastery where he had been brought up as a monk from childhood.⁴⁴ Here one must allow for the tendentious purpose of the letter, which was intended *inter alia* to justify Leofwine's deposition to the pope; but the statement that Leofwine returned to the monastery where he grew up as a child does not appear to serve that purpose, and so could well have been accurate. The monastery in question was almost certainly Coventry since an Abbot Leofwine—presumably the same individual—is known to have been active there in 1075 and later.⁴⁵ Since Leofwine had been appointed abbot of Coventry in 1043, it would follow that there had been a monastery at Coventry prior to that date where Leofwine had been a child oblate. None of these points is on its own conclusive, but taken together, they amount to a powerful case for presuming the existence of some kind of religious community at Coventry prior to 1043.

The political context of the consecration of Coventry Abbey is also relevant here. It took place shortly after the coronation of King Edward the Confessor in April 1043. This put Earl Leofric in a potentially awkward position, since he had played a leading role in the regime responsible for Edward's years in exile and for the murder of his brother. With this in mind, the St Osburh dedication is interesting. The possibility arises that Leofric might have used the consecration ceremony to distance himself from the previous regime. Let us suppose for a moment that Rous was right in thinking that St Osburh's monastery had been destroyed or desecrated by Cnut and Eadric in 1016. If so, the St Osburh dedication would have invited a contemporary audience to reflect on the desecration of her monastery in 1016 as if it were a metaphor for the betrayal and defeat of King Æthelred's kingdom by Cnut and Eadric in the same year. By 1043, God's judgement on these deeds had become manifest. The iniquitous had been punished and the righteous had been restored to power: Eadric had been executed, Leofric

⁴⁴ *Letters of Lanfranc*, no. 2.

⁴⁵ *Letters of Lanfranc*, 79 n. 16, 113 n. 1; Lancaster, 'Coventry Forgeries', 138 n. 5; *EEA* 14, pp. xxv–xxix.

had replaced him in office, and Edward had been restored to his father's throne. Just as the desecration of St Osburh's nunnery epitomized the iniquitous alliance between Cnut and Eadric, the foundation of a monastery dedicated to St Osburh symbolized a new and virtuous alliance between Edward and Leofric, their successors in office.

This reconstruction is necessarily speculative because partly dependent on late evidence. However, it remains likely that Earl Leofric derived political as well as spiritual gain from the foundation of Coventry Abbey, much as he did by being a benefactor of Evesham.

EVESHAM

Most of what is known about relations between the Leofwinesons and Evesham Abbey is preserved in a text conventionally known as the Evesham Chronicle (though recently re-edited as *History of the Abbey of Evesham*). This was compiled and written by Thomas of Marlborough in the thirteenth century, drawing extensively on earlier material: for example, its account of the eleventh-century history of Evesham draws on near-contemporary lives of abbots Æthelwig (1058–78) and Walter (1077–1104).⁴⁶ The date when the material relating to the Leofwinesons was composed is unclear, but the precision with which it deploys detail commends the view that it was first written during their lifetimes or not long afterwards.

According to this text, Earl Leofric and Lady Godiva became benefactors of Evesham with the encouragement of a certain Wulfsgige, a hermit and a kinsman of Ælfic, then prior of Evesham:

Eius etiam ortatu Leoffricus comes et Godgiua comitissa, eo quod pater erat confessionum suarum, prudentissime mundum in plurimis spernentes, elemosinis et orationibus diligenter instantes, Couentreiam abbatiam pluresque alias ecclesias pro amore Dei gloriose edificantes, terris et possessionibus et plurimis ditabant ornamentis honestissimis. Hanc etiam abbatiam ualde diligentes honorabant, facientes hic honorabilem ecclesiam in honore sancte Trinitatis, in qua fecerunt constitui crucem non modicam et ymaginem sancte Dei genitricis Marie sanctique Iohannis Euangeliste argento et auro honorabiliter fabricatas; necnon etiam uillam quandam, Shuocham nomine, et uiridem casulam et minorem nigram capam et multa alia ornamenta preciosa huic loco contulerunt.

⁴⁶ R. R. Darlington, 'Æthelwig, Abbot of Evesham', *EHR* 48 (1933), 1–22, 177–98 at 2–3; Gransden, *Historical Writing*, i. 111–12, 143; *Evesham*, pp. xv–lxxii.

[Persuaded by him [Wulfsgige], their spiritual father, Earl Leofric and Lady Godiva, wisely rejecting the world for the most part, and assiduous in almsgiving and prayer, magnificently built the abbey at Coventry and many other churches in their love for God, and enriched them with lands, possessions, and many beautiful treasures. They lovingly honoured this abbey by building here a noble church in honour of the Holy Trinity. In it they erected a large cross as well as an image of St Mary, Mother of God, and another of St John the Evangelist, beautifully fashioned in silver and gold. They also bestowed upon this abbey a vill named Southam, a green chasuble, a small black cope, and many other precious treasures.]⁴⁷

The text proceeds to describe the history of two of Evesham's Worcestershire estates, Hampton and Bengeworth. It claims that these formed part of Evesham's original endowment but were despoiled from the abbey during the reign of King Edmund. Hampton was eventually granted to Leofric's brother Northman by King Æthelred, but when Northman was executed in 1017, Cnut gave the estate to Leofric in compensation.

Cum autem aliquot annis ipse comes eam possideret, et frequenter huc ueniendo amicitiam atque noticiam prefati prioris Auitii et aliorum fratrum, ecclesiam illam quam prediximus edificando multaque beneficia peragendo, ex toto haberet, tandem cognoscens quod pater noster Ecgwinus primitus eam huic ecclesie obtineret rogatu omnium fratrum pro alia terra quam prius dederat, Suocham nomine, ita omnino liberam huic ecclesie perpetualiter concessit.

[The earl himself held possession of this land for several years, but he came to know Prior Æfic and other brethren very well, and became their friend during frequent visits to this place, because of his building of the church we have mentioned, and through the benefits he bestowed. Eventually he learned that our father Ecgwine had originally held that land for this church, so, at the request of the brethren and in exchange for Southam—the other land which he had previously given to the church—he granted it to this church to be held completely free for ever, just as he had possessed it.]⁴⁸

The text then goes on to say that when Prior Æfic died in 1038, he was buried in the church of Holy Trinity in the presence of 'religiosa comitissa Godgiua', who remembered him as long as she lived.⁴⁹

Why did Leofric and Godiva favour Evesham in these ways? Here it is significant that Evesham was among the English religious houses

⁴⁷ *Evesham*, 152–5, and p. xlix for Wulfsgige. Unfortunately, little is known about the church of Holy Trinity. For the suggestion that it either stood close by, or was structurally attached to the abbey church, and was demolished with it at a later date, see D. C. Cox, 'The Building, Destruction, and Excavation of Evesham Abbey: a Documentary History', *Worcestershire Archaeological Society*, 3rd series 12 (1990), 123–46 at 124.

⁴⁸ *Evesham*, 154–7.

⁴⁹ *Evesham*, 156.

which enjoyed King Cnut's favour.⁵⁰ The Evesham Chronicle records that Cnut granted the relics of St Wigstan together with other precious objects, and that he sold and granted estates in Gloucestershire, Winchcombeshire, and Northamptonshire to Evesham;⁵¹ and the Evesham archive preserves an authentic and probably original diploma, issued c. 1023, which records a grant by Cnut of five hides at Newnham in Northamptonshire to Prior Æfic.⁵² The Evesham Chronicle also describes Ælfweard, abbot of Evesham (c. 1014–44), as a kinsman (*consanguineus*) of Cnut.⁵³ Since Ælfweard was appointed before 1016, it is probable that he was not strictly speaking a blood relation of Cnut, but was related to him through Cnut's first 'marriage' to Ælfgifu of Northampton, which probably took place between 1013 and 1016.⁵⁴ Presumably the same 'Ælfgifu the Lady' is described as 'Ælfgeofu seo hlæfdie þe þæs mynstres walt' ('the Lady Ælfgifu who governs the monastery') in a lease issued by Abbot Ælfweard between 1016 and 1023.⁵⁵

All this helps to explain why Leofric and Godiva cultivated such close relationships with Evesham during Cnut's reign. To recapitulate: Cnut and Leofric were both patrons of Evesham; Prior Æfic, to whom King Cnut granted land, was buried and revered by Lady Godiva; Æfic's brother, Wulfsgie, was the spiritual father of Leofric and Godiva; and if Ælfweard was indeed a kinsman of Ælfgifu of Northampton, he would also have been related to the Leofwinesons through marriage after Ælfgar married her kinswoman and namesake Ælfgifu, probably before 1035. All this combines to suggest that Evesham was both a symbol of, and a means by which, Cnut and Leofric became reconciled following Northman's execution.

As we have seen, Evesham sources claim that the abbey acquired five hides at Hampton as a function of this process. Unfortunately, these cannot be taken at face value, for the property in question was the subject of a lengthy dispute between the abbots of Evesham and Worcester during the late eleventh century, and substantial quantities of

⁵⁰ Lawson, *Cnut*, 155. ⁵¹ *Evesham*, 134, 150–2.

⁵² S 977. ⁵³ *Evesham*, 150.

⁵⁴ Williams, 'Danes and English', 8; *eadem*, *Æthelred*, 120, 127, 132, 139.

⁵⁵ S 1423, a document witnessed by Ealdorman Leofwine, and his sons Leofric and Eadwine. Williams, 'Danes and English', 8, identifies the lady in question as Ælfgifu of Northampton; Stafford, *Queen Emma*, 140, thinks this was 'presumably Queen Emma'; Lawson, *Cnut*, 155 n. 174, hedges his bets. The matter cannot be resolved with certainty, but it is surely significant that the estate with which S 1423 is concerned lay in Northamptonshire.

dubious and tendentious documentation was generated by both parties to the dispute.⁵⁶

Evesham's case can be reconstructed as follows. Hampton formed part of its ancient endowment.⁵⁷ It was despoiled from the monastery in King Edmund's reign, and was later granted by King Æthelred II to Northman in 988.⁵⁸ Following the execution of Northman it was granted by Cnut to Leofric; but when Leofric discovered that the estate was part of the ancient endowment of the church, he restored it to the abbey in return for Southam, which Leofric had previously granted to the abbey.⁵⁹ This grant was subsequently confirmed by King Edward and Bishop Lyfing.⁶⁰ These confirmations may well have been expensive to procure, for the Evesham Chronicle lists Hampton among the numerous estates recovered by Abbot Æthelwig 'laboriosissime maximaque pecunia redimendo' ('with great effort and at great expense') from King Edward and other lords.⁶¹ After the Conquest, Hampton was held from the abbey by some of the men of Urse d'Abetot until Æthelwig died, whereupon Urse seized the land.⁶² Hampton is also listed among the twenty-eight villis despoiled from Evesham by Odo, bishop of Bayeux, though it was subsequently recovered by Abbot Walter.⁶³ Finally, Hampton is entered in Domesday Book in the fee of Abbot Walter of Evesham.⁶⁴

The church of Worcester also claimed Hampton to be part of its ancient endowment.⁶⁵ During the Conqueror's reign, Bishop Wulfstan claimed certain rights of lordship over the estate, and a document preserved in Hemming's cartulary records that he 'proved' before the Domesday commissioners that the sake and soke of Hampton should belong to the hundred of Oswaldslow so that the people of Hampton should plead there, pay geld there, perform military service and other royal services required from the estate, and pay church-scot and burial

⁵⁶ S. Baxter, 'The Representation of Lordship and Land Tenure in Domesday Book', in *Domesday Book*, ed. E. Hallam and D. Bates (Stroud, 2001), 73–102, 203–8, at 87–8.

⁵⁷ S 80, 1250 (both spurious); *Evesham*, 130.

⁵⁸ S 873 (spurious); *Evesham*, 154.

⁵⁹ S 1223 (which may have an authentic basis); *Evesham*, 154–6.

⁶⁰ S 1052–3, 1398 (all spurious). ⁶¹ *Evesham*, 172–3.

⁶² This is recorded in a note in an Evesham cartulary, London, British Library, Cotton Vespasian B. xxiv fo. 10v, printed in *Feudal Documents from the Abbey of Bury St Edmunds*, ed. D. C. Douglas, Records of the Social and Economic History of England and Wales 8 (London, 1932), p. lxxviii n. 2.

⁶³ *Evesham*, 176–8.

⁶⁴ GDB 175d (Worcestershire 10:11).

⁶⁵ S 118 (spurious).

dues at the bishop's vill of Cropthorne.⁶⁶ The estate was also listed in the bishop of Worcester's fee.⁶⁷

From the historian's perspective, one of the ironies of this dispute is that, although it is one of the best documented lawsuits in eleventh-century English history, it is one of the most difficult to fathom for precisely that reason. Arguably the best approach is to ignore the question as to which party had the better right to Hampton, and to use the material to chart the ebb and flow of power between the abbots of Evesham and the bishop of Worcester during the Conqueror's reign instead. However, in the present context, it is necessary to make a judgement as to the veracity of Evesham's claim, since this supposedly involved a grant of land at Hampton by Earl Leofric.

How reliable is S 1223? The diplomatic form of the charter is difficult to criticize, partly because there are so few deeds issued by late Anglo-Saxon magnates with which it can be compared, and partly because it lacks a witness list, for this deprives us of an important test of authenticity. It does however contain one significant anachronism: Leofric describes himself as *comes*, whereas earls are almost always described as *dux* in reliable Latin charters of the pre-Conquest period.⁶⁸ In addition, the dispute between Abbot Walter and Bishop Wulfstan supplies a clear motive for forging S 1223 to support its claim to Hampton: the sequence of evidently spurious charters which relate to Hampton, including at least one spurious charter attributed to Edward the Confessor purporting to confirm S 1223, do not inspire confidence. On the other hand, there are grounds for thinking that S 1223 may have an authentic basis. The charter could easily be a post-Conquest Latin translation of an Old English text in which *eorl* has been rendered *comes*.⁶⁹ The existence of several spurious or doubtful charters concerning Hampton does not necessarily mean that all of them are suspect. It is hard to resist the impression that Evesham had the better right to Hampton, for even according to the Worcester documentation, Worcester's claim in respect of Hampton was limited to rights of soke as distinct from the right of tenure, and whereas the Worcester documentation singularly fails to supply a credible history of the estate between the eighth century and the

⁶⁶ Bates, no. 350 (and cf. no. 349).

⁶⁷ GDB 174a (Worcestershire 2:74); but note that the corresponding entry in the Domesday-related text known as 'Worcester B' makes no reference to Hampton: *HC*, 307.

⁶⁸ Above, 72–3.

⁶⁹ Cf. S 1232 (*HC*, 408–10) with text in Old English and Latin, where *eorl* is translated as *comes*.

eleventh, the Evesham documentation plugs this gap with compelling circumstantial detail.⁷⁰ Finally, the Evesham evidence fits well with the more general proposition that Evesham was a focal point of mutual interest facilitating reconciliation between Leofric and Cnut.

S 1223 is not the only charter preserved in the Evesham archive which claims that members of the house of Leofwine were responsible for restoring property to the abbey: two further Evesham charters, issued in Earl Ælfgar's name, purport to record the restoration of estates at Acton Beauchamp in Herefordshire and at Daylesford in Gloucestershire to Evesham.⁷¹ In both cases, Evesham's title to these estates was challenged by the church of Worcester; so as with the Hampton and Bengeworth disputes, there is a substantial documentary trail to chase. Suffice here to say that even if these charters are spurious, they were probably forged in connection with the dispute between the abbots of Evesham and the bishop of Worcester during the Conqueror's reign; and if so, they constitute further evidence that the house of Leofwine was remembered well at Evesham shortly after the Conquest.⁷² This was not always the case a few miles away at Worcester.

WORCESTER

Towards the end of his life, Bishop Wulfstan of Worcester (1062–95) commissioned a monk named Hemming to write a small book (*codicellus*) concerning the property which had been despoiled from the church of Worcester during the course of the eleventh century. Earl Leofric and his family figure prominently in this gallery of rogues. However, this is by no means the only source which records connections between the Leofwinesons and the church of Worcester; indeed, other documents preserved in the same archive combine to demonstrate that Hemming's *codicellus* contains a simplified and distorted account of a more complex situation.

The relevant materials are as follows. John of Worcester composed the encomium to Earl Leofric and Lady Godiva with which this chapter began: indeed, he says that Leofric and Godiva actually endowed the

⁷⁰ For example, the statement in the Evesham Chronicle that Hampton was exchanged for Southam carries conviction since Southam was subsequently granted by Earl Leofric to Coventry whose archives have preserved an original diploma of King Æthelred II relating to the estate (S 892).

⁷¹ S 1238, 1479.

⁷² For a more detailed discussion, see Baxter, 'Leofwinesons', 176–9.

church of Worcester with land. It is also known that Leofric and Godiva restored certain estates to the church of Worcester;⁷³ that Godiva made a gift of a bible and various other rich objects to that church;⁷⁴ that Earl Ælfgar granted land at Church Icomb to Worcester;⁷⁵ and that Ælfgar supported the election of Bishop Wulfstan in 1062.⁷⁶ It is also known that the extant text of the *Vision of Earl Leofric* was copied at Worcester in the late eleventh century.⁷⁷

To interpret this material, it is important to register that relations between different bishops of Worcester and different members of the house of Leofwine varied: some of them appear to have been the adherents or allies of the house of Leofwine, whereas some appear to have been hostile to them and more closely aligned with their rivals. Bishop Beorhtheah (1033–38) was probably among the former,⁷⁸ whereas bishop Lyfing (1038–40, 1041–46) was probably among the latter.⁷⁹ The loyalties of others are more difficult to place. Bishop Ealdred (1046–62) seems to have been more of a royalist than a creature of faction; but he does seem to have been more closely associated with the house of Godwine than with the house of Leofwine.⁸⁰ Bishop Wulfstan (1062–95) is a particularly complex, because well-documented, case. His relations with the house of Leofwine were not always strained: as we have seen, Earl Ælfgar supported Wulfstan's election in 1062, and both Ælfgar and his

⁷³ S 1232. ⁷⁴ HC, 261–2. ⁷⁵ HC, 404, 406.

⁷⁶ WM, VW, 44. ⁷⁷ Above, 154 n. 6.

⁷⁸ For detailed discussion, see Baxter, 'Leofwinesons', 180–2. Briefly, Brihtheah was probably a monk of Evesham; he was heavily criticized by Hemming; and, as the brother of Æthelric and the uncle of Godric *Finc* he was a kinsman of two prominent Worcestershire thegns who are known to have been commended to the Leofwinesons: see S 1459 (RoASch, no. 76, with notes, 397, 421); JW, ii. 518, 526; HC, 255, 266–70; WM, VW, 20–2, 24, 34, 108; Keynes, *Atlas*, Tables 56, 78; Atkins, 'Church of Worcester', 16–18; Barlow, *English Church*, 73–4, 167, 174, 200; Williams, 'Spoliation', 394–6, 403; below, 252–3.

⁷⁹ Bishop Lyfing had strong connections with Godwine's earldom in the south-west where he was abbot of Tavistock Abbey (c. 1009–27) and later Bishop of Crediton and Cornwall (1027–46); and John of Worcester says that he and Earl Godwine were jointly accused of responsibility for the murder of Alfred Ætheling: see JW *s.a.* 1040 (ii. 530); F. Barlow, 'Lyfing (d. 1046), abbot of Tavistock and bishop of Worcester', in *ODNB*.

⁸⁰ Bishop Ealdred sought and obtained the reinstatement of Earl Swein; refused to intercept Earl Harold escaping to Ireland in 1051; accompanied Earl Tostig to Rome in 1061; and crowned Harold king on 6 January 1066: see *ASC D s.a.* 1051; JW *s.a.* 1049 (ii. 550), 1066 (ii. 600); *VEdR*, 52–6; M. K. Lawson, 'Ealdred (d. 1069)', rev. V. King, in *ODNB*. However, MS D of the Chronicle, which appears to have been compiled at Ealdred's behest, has royalist tendencies, takes a fairly neutral line on the rivalry between the houses of Leofwine and Godwine, and contains a flattering obituary for Earl Leofric: *ASC D s.a.* 1057; Baxter, 'MS C of the Anglo-Saxon Chronicle'.

mother are known to have granted or restored land to Worcester.⁸¹ On the other hand, Hemming's *codicellus*, which was written at Wulfstan's behest, is vitriolic about other members of the family. There are three possible explanations for this. First, Wulfstan's relationship with the house of Godwine, in particular Earl Harold, is known to have been close.⁸² Second, whereas the Leofwinesons were closely connected with Evesham, Wulfstan and at least two abbots of Evesham are known to have been bitter rivals.⁸³ Third, there is a real possibility that the house of Leofwine obtained control of one of Wulfstan's family estates. The *Vita Wulfstani* records that after his schooling, Wulfstan lived for some time on his father's vill at Itchington in Warwickshire. There are two Itchingtons in Warwickshire, about six miles apart, and *both* are known to have been held by members of the house of Leofwine: Long Itchington was granted by King Æthelred II to a thegn named Clofi in 1001, and was held by Earl Eadwine *TRE*; and Bishops Itchington was one of the estates given to Coventry by Earl Leofric, and was held by the monastery *TRE*.⁸⁴ It is not known how the Leofwinesons' acquired these estates, but we should at the very least hold open the possibility that they had somehow deprived Wulfstan of his patrimony.

All this has an important bearing on how we interpret Hemming's treatment of the Leofwinesons. Scholars have generally acknowledged that Hemming's *codicellus* must be approached with caution: it was written a long time after the events it describes; much of the information it contains is dependent upon memory and oral tradition, both fallible; virtually all the villains who stand accused were safely dead by the 1090s, and were therefore convenient scapegoats; it forms part of a cartulary apparently intended to redefine the tenurial relations of the monks and the bishop of Worcester after Wulfstan's death; and where it is possible to compare the *codicellus* with other sources, it is in some instances demonstrably tendentious.⁸⁵ The foregoing analysis

⁸¹ WM, VW, 44; HC, 261–2, 404, 406.

⁸² The *Vita Wulfstani* records that Wulfstan was Harold's confessor; that Harold was Wulfstan's 'devoted servant' and 'obeyed him humbly, deferring to him in everything as to beloved father'; and that, when newly crowned, Harold sent Wulfstan to the north of England to secure its allegiance: see WM, VW, 34–5, 56; E. Mason, *St Wulfstan of Worcester c. 1008–1095* (Oxford, 1990), 65–7, 81, 101, 103.

⁸³ HC, 270–3.

⁸⁴ WM, VW, 14. Long Itchington: S 898; GDB 244b (Warwickshire 42:3). Bishops Itchington: S 1000 and 1226; GDB 239a (Warwickshire 6:12).

⁸⁵ Ker, 'Hemming's Cartulary', esp. 64–5; Williams, 'Spoliation'; Baxter, 'Representation of Lordship and Land Tenure in Domesday Book', 81–92; F. Tinti, 'From

adds to this critical apparatus. Hemming's account of the villainous deeds of the Leofwinesons may well have been coloured by Wulfstan's personal prejudice; and this almost certainly caused Hemming to create the misleading impression that the Leofwinesons and the church of Worcester were continually at odds.

Of course, this does not mean that everything Hemming says should be rejected; indeed, it is quite likely that the church of Worcester had a legitimate claim to several of the estates held by the Leofwinesons and their men *TRE*. The relevant evidence is as follows.

1. Chaddesley Corbett, Bell Hall, Belbroughton, and Fairfield. Hemming says that Earl Leofric held these estates from the monastery *injuste* following his father's death, but promised to return them to the church at the end of his life. Remembering this promise, Lady Godiva gave certain gifts to the church for the sake of her soul and that of her deceased husband. At her request, she was permitted to hold the estates during her life in return for an annual payment; but not long afterwards, Eadwine and Morcar, *instinctu diabolico* seized the lands.⁸⁶ S 180 is an apparently authentic diploma entered in the early eleventh-century Worcester cartulary ('Tiberius I'), dated 816, which records a grant of privileges of in respect of land at Chaddesley to the bishop and community at Worcester. S 181 is a suspiciously similar diploma, copied into 'Tiberius II' (Hemming's cartulary): this is dated 817, and purports to record a similar grant of privileges in respect of Bell Hall, Belbroughton, and Fairfield. This is almost certainly spurious; indeed, there are strong grounds for suspecting that S 181 was forged by Hemming himself to 'corroborate' the version of events described in his *codicellus*.⁸⁷ Domesday Book shows

Episcopal Conception to Monastic Compilation: Hemming's Cartulary in Context', *Early Medieval Europe* 11 (2003), 233–61.

⁸⁶ *HC*, 261–2.

⁸⁷ For the making and structure of London, British Library, Cotton Tiberius A. xiii, see Ker, 'Hemming's Cartulary'; S. Baxter, 'Archbishop Wulfstan and the Administration of God's Property', in *Archbishop Wulfstan: Papers from the Novocentenary Conference*, ed. M. Townend (Brepols, 2004), 161–205; Tinti, 'From Episcopal Conception to Monastic Compilation'. I follow Ker in referring to 'Tiberius I' (folios 1–118) written in the early eleventh century by five different scribes, and 'Tiberius II' (folios 119–200), written in the late eleventh century by three different scribes. S 181, the late eleventh-century forgery based on S 180, concerns land at Salwarpe, Bell Hall, Hampton Lovett, Broughton, and Fairfield. Hemming claims that all of these estates were spoiled by the Leofwinesons. It is therefore striking that the hand responsible

that each of these estates were held either by members of Earl Leofric's family, or by members of their affinity *TRE*.⁸⁸

2. Wolverley and Blackwell. Hemming says that these estates were also held *injuste* by Earl Leofric following his father's death, and that Leofric later returned these estates to the church.⁸⁹ The Worcester archives preserve a lease of Bishop Oswald in respect of Blackwell;⁹⁰ one possibly authentic diploma relating to Wolverley;⁹¹ and a spurious diploma presumably intended to 'improve' Worcester's claim to that estate.⁹² Two further documents in Hemming's cartulary relate to these estates. Both were entered into 'Tiberius II' after Wulfstan's death by the same hand responsible for S 211, the 'improved' Wolverley charter. These entries give a rather different account of Wolverley and Blackwell. The first entry is a passage in Old English (repeated in Latin) entitled 'Her geswutelad̃ hu Wlstan bisceop becom to biscopric' ('Here is made known how Bishop Wulfstan attained the bishopric'), which records that Leofric granted to Wulfstan land at Blackwell and Wolverley, of which the monastery had been despoiled by Danes and other magnates.⁹³ This passage is followed immediately by a charter issued by Earl Leofric (also written both in Old English and in Latin) which purports to confirm this transaction.⁹⁴ Both estates were held by the church of Worcester *TRE* and in 1086.⁹⁵
3. Salwarpe. When Godwine was ill at the end of his life, he received unction from Wulfstan, then prior, and the abbot of Gloucester on

for writing the diploma into the cartulary is precisely the same as the hand which wrote part of Hemming's *codicellus* (Ker, 'Hemming's Cartulary', 57–9). It looks as if S 181 and the *codicellus* were literally the work of the same hand—very probably that of Hemming himself.

⁸⁸ Belbroughton was held by Lady Godiva *TRE*, and by Urse d'Abetot in 1086; Chaddesley was held by Eadgifu *TRE*, and she continued to hold the land from the king in 1086; Bell Hall was held by Leofnoth *TRE*, and by William fitz Ansculf in 1086: GDB 177d (Worcestershire 26:13), 178a (Worcestershire 28:1), 178a (Worcestershire 23:8). Fairfield in Belbroughton is not separately listed in Domesday Book.

⁸⁹ *HC*, 261.

⁹⁰ S 1337.

⁹¹ S 212.

⁹² S 211, in 'Tiberius II' (hand 3), appears to have been forged using S 212 as a model, with the intention of 'improving' S 212, transforming it into a grant directly in favour of Worcester.

⁹³ *HC*, 403–5 (Old English), 405–8 (Latin); the passage refers to Wulfstan's death and records the length of his episcopate. Both this passage and S 212 were written in 'Tiberius II' by hand 3.

⁹⁴ S 1232 (written in 'Tiberius II' by hand 3).

⁹⁵ GDB 174b (Worcestershire 2:83), 173c (Worcestershire 2:46).

the condition that he was penitent for holding this estate which the church claimed. Godwine duly restored the land to the church, but his son Æthelwine seized the land with the support of his uncle, Earl Leofric. Not long afterwards, by the just judgement of God, Æthelwine lost his life and all his property.⁹⁶ Salwarpe is one of the estates listed in S 181, the diploma which appears to have been forged to supply the church of Worcester with a title deed for the estates 'despoiled' by the Leofwinesons. Salwarpe is also one of the estates which occurs in the Coventry 'foundation charters'. Domesday Book records that Coventry Abbey held one hide at Salwarpe, and that the remaining hides were held by Æthelwine *TRE*.⁹⁷

4. Bickmarsh and Wychbold and certain other 'estates in Shropshire'. Hemming says that these were acquired by Eadwine by means of the system of land law, which provided that persons unable to pay tax in respect of their land could forfeit it to those who paid it on their behalf. Worcester's claim to Wychbold is supported by a dubious late seventh-century diploma;⁹⁸ and its claim to Bickmarsh is supported by a dubious diploma of King Edgar.⁹⁹ Bickmarsh was held by a certain Edith, and Wychbold was held by Earl 'Godwine' (*recte*, Earl Eadwine) *TRE*.¹⁰⁰ It is probable that the 'estates in Shropshire' to which Hemming referred in this passage were the estates at Tetshill, Hopton Wafers, and Cleobury North in Shropshire, which were subsequently seized by Swein Godwineson. They were held by a certain Siward *TRE*.¹⁰¹
5. Hampton Lovett. Bishop Wulfstan sought to recover this estate land from Earnegeat son of Grim *per placita*, but Earnegeat, supported by Earl Leofric, retained the land through force. The same Earnegeat asked Wulfstan to permit his son to become a monk at the monastery of Worcester, but the bishop made it a condition that Earnegeat should grant Hampton Lovett, or at least that part of it known as *Thickenappletree*, to the monastery. Earnegeat refused this condition, and not long afterwards Earnegeat's heirs lost control of the land. Hampton Lovett was one of the estates listed in S 181. According to

⁹⁶ *HC*, 259–60.

⁹⁷ GDB 174b (Worcestershire 5:1), 176a (Worcestershire 14:2); S 1000, 1226.

⁹⁸ S 75 (written in 'Tiberius II' by hand 3).

⁹⁹ S 751 (written in 'Tiberius II' by hand 3).

¹⁰⁰ GDB 244b (Warwickshire 43:2), 176d (Worcestershire 19:12).

¹⁰¹ *HC*, 276; GDB 260a (Shropshire 5:2), 260c (Shropshire 7:3), and 260c (Shropshire 7:1); Williams, 'Spoliation', 401 n. 3.

Domesday Book, Hampton Lovett and *Thickenappletree* were held by a certain Alweald (perhaps Earngeat's son) *TRE*.¹⁰²

6. Crowle. Hemming says that Sigmund *genere Danus* was a *miles* of Earl Leofric. He held one of the two manors at Crowle and coveted the other and, 'vi et potentia sua et domini sui' ('by his own power and that of his lord') he burdened the monks of Worcester with pleas and lawsuits to the point that it became untenable. Eventually, Prior Æthelwine was forced to grant Sigmund the land for his lifetime on condition that he served the monastery on naval and military expeditions and either made an 'acceptable' cash payment or supplied a horse in respect of the land.¹⁰³ Crowle is not listed in S 181, perhaps because the land was not permanently alienated.¹⁰⁴ Domesday Book records that Sigmund held Crowle from the church of Worcester *TRE*, and that Roger de Lacy held it from the church (and a certain Odo from him) in 1086.¹⁰⁵
7. Church Icomb. Hemming says nothing about Church Icomb in his *codicellus*. However, the passage in 'Tiberius II' entitled 'Her geswutelað hu Wlstan bisceop becom to biscoprice' records that Ælfgar acquired and gave the estate to Wulfstan, and that soon afterwards Wulfstan was appointed and ordained bishop (in other words, the grant took place shortly before 1062, and so shortly before Ælfgar's death).¹⁰⁶ 'Tiberius II' contains two copies of a doubtful diploma of King Offa concerning Church Icomb written by two different scribes.¹⁰⁷ Domesday Book confirms that one hide at Church Icomb was held by the church of Worcester for the monks' supplies both *TRE* and *TRW*.¹⁰⁸
8. Alveston. Hemming does not say anything about this estate, but Domesday Book demonstrates that it was disputed between the church of Worcester and some of Earl Leofric's commended men.¹⁰⁹

¹⁰² *HC*, 260–1; *GDB* 177d (Worcestershire 26:10), 177d (Worcestershire 27:1).

¹⁰³ *HC*, 264–5.

¹⁰⁴ Crowle occurs in S 190, an apparent original, and in S 205, a spurious charter entered in 'Tiberius II' by hand 3.

¹⁰⁵ *GDB* 174a (Worcestershire 2:78). Another landholding at Crowle was held by a certain Ketelbeorht, whose name is also Anglo-Scandinavian and who may just have been Sigmund's kinsman: *GDB* 176d (Worcestershire 19:14). Hemming also says that Sigmund held Shelsey from the church of Worcester and rendered service from it until *Franci* robbed it from the church: *HC*, 251.

¹⁰⁶ *HC*, 403, 406.

¹⁰⁷ S 121.

¹⁰⁸ *GDB* 173b (Worcestershire 2:41).

¹⁰⁹ *GDB* 238c (Warwickshire 3:4); below, 245.

It is known that the land in question was not permanently alienated from the church of Worcester, for an original charter, dated 1089, and written in a hand thought to be very like the hand responsible for the *codicellus*, records a grant of land at Alveston by Bishop Wulfstan to the monks of Worcester.¹¹⁰

These cases demonstrate that several of the charters in 'Tiberius II' were manufactured or improved to complement the estate histories described in Hemming's *codicellus*. Two further points need emphasis.

First, Hemming's account of these estates was not only tendentious, but was also a crude simplification of a complex range of transactions. Hemming uses the language of armed robbery: the noun *rapina*, the verbs *aufero* and *invado*, and the adverbs *injuste* and *vi*. It is possible that this was accurate and appropriate language: no one would doubt that the Leofwinesons and their retainers had sufficient political clout and coercive force to seize estates from religious houses. However, there are other possibilities. Some of the estates which Hemming claimed to have been despoiled from the church of Worcester by the Leofwinesons may have been leased to them in a perfectly legal manner. Hemming says that Earl Leofric unjustly (*injuste*) held six estates from the church of Worcester following his father's death (numbers 1 and 2 in the list above). But let us suppose that these estates had been leased to Ealdorman Leofwine for three lives. This hypothesis would explain why Leofric promised to return the estates 'in fine vitae suae' ('at the end of his life'); and if Ælfgar was the third lessee, this would explain why Godiva had to persuade the monks to extend the lease in return for an initial gift and subsequent annual payments.

The church of Worcester could have chosen to lease land to the Leofwinesons for various reasons. By doing so the church might obtain protection for the remainder of its endowment. Here a formula in the Wolverley and Blackwell charter (S 1232) is relevant: Leofric and Godiva pledged to be 'hald 7 mund' ('protector and guardian') of these estates. Property could also have been leased to the Leofwinesons in the hope or expectation that this would ultimately augment the church's endowment. One form of lease tenure involved a pledge on the part

¹¹⁰ *The Cartulary of Worcester Cathedral Priory: Register I*, ed. R. R. Darlington, Pipe Roll Society, n.s. 38 (London, 1968), 8–9 (with facsimile, plate IV); Ker, 'Hemming's Cartulary', 57. The Alveston charter was also written into 'Tiberius II' by hand 3: *HC*, 418–20.

of the lessee to return the loan with interest by granting an additional estate to the church when the terms of the lease expired. An arrangement of this kind may lie behind Ælfgar's grant of Church Icomb (number 7 above). Finally, even if we take Hemming at face value, it is plain that the Leofwinesons and their men acquired certain estates by entirely legal (albeit unfriendly) methods: Eadwine's acquisitions fall into this category (number 4 above).

Second, it is clear that the attraction of the Leofwinesons' lordship created serious tenurial complications for the church of Worcester. Whatever view one takes as to the veracity of Hemming's *codicellus*, there seems no reason to doubt his testimony on this point. The problem was straightforward: a man could hold land from the church of Worcester but could take his commendation elsewhere; and if the commendation were taken to a powerful magnate whose interests were not aligned with the church, its hold over the land itself came under threat. This problem is epitomized by a remark in Hemming's account of the disputes between Bishop Wulfstan and Abbot Æthelwig during the Conqueror's reign:

Hinc factum est, ut ipse jam dictus abbas, cum quasi sub obtentu sue protectionis plurimos hujus provincie divites homines sibi attraheret et paulatim subderet, tum etiam quosdam milites et homines episcopi cum terris suis hoc modo sibi conjungeret, nunc consanguinitatis occasione, nunc vicinitatis affinitate, suam eis protectionem contra Normannos spondens. Quos cum primo sic decepisset, non multo post astutia sua illos circumveniens, terra omnibusque rebus suis defraudavit. Unde non minima altercatio inter ipsum et dominum episcopum excrevit hac de causa.

[It happened that the aforesaid abbot [Æthelwig], having attracted and by degrees made dependent many rich men of this province who were eager for his protection, bound certain knights and men of the bishop, with their lands, to himself in this way, either because of kinship or because of their close vicinity and promised them his protection against the Normans. Soon after, having thus first deceived them, he circumvented them by his slyness and defrauded them of their lands and all their goods. This led to no small dispute between him and the lord bishop.]¹¹¹

Although this passage relates to the exceptional circumstances which prevailed in the immediate aftermath of the Conquest, there is nothing inherently unusual about the phenomenon it describes. According to Hemming, both Earngeat son of Grim and Sigmund the Dane acquired land from the church of Worcester because they were supported in court

¹¹¹ HC, 271; *English Lawsuits*, ed. and trans. Van Caenegem, i. 31.

by their lord, Earl Leofric (numbers 5 and 6 above); and the Alveston case (number 8) shows that a whole family of brothers who held land from the church could switch allegiance to Leofric.

Leasing arrangements conferred many benefits on the church of Worcester. They were an indispensable way of attracting members of the local aristocracy into the service of the church for military and other forms of service. But there were flaws inherent in these arrangements. Estates leased for three lives had an unpleasant habit of beginning to resemble patrimony by the time the lease ran out, and this often made their terms difficult to enforce. In addition, the personal relationships which three-lives leases were intended to reinforce were more transient than the tenurial situations they created: the political context which made such arrangements look attractive could change rapidly, and what was to the advantage of the initial lessor could become a serious liability to his successors in office.¹¹²

For the church of Worcester and the Leofwinesons, these problems were compounded by the fact that successive bishops of Worcester had very different relationships with the family. It is possible, indeed probable, that Worcester estates were leased to the Leofwinesons and their men during the time of Beorhtheah if not before; and if so, Lyfing, Ealdred, and Wulfstan may have regretted that such arrangements were in place, partly because their own relations with the earls of Mercia were less cordial.

SECULAR MINSTERS IN THE NORTH-WEST MIDLANDS

The evidence of connections between the Leofwinesons and minsters in the north-west Midlands conforms to a similarly complex pattern of piety and predation. On the one hand, we have John of Worcester's assertion that Leofric and Godiva enriched Leominster, Wenlock, and the minsters dedicated to St John the Baptist and St Wærburh the virgin in Chester.¹¹³ On the other, there is evidence that the Leofwinesons held estates which had once formed part of the endowment of these minsters. Thus, Earl Eadwine held an estate at Upton in Cheshire which

¹¹² Williams, 'Spoliation', 385–8; Baxter, 'Archbishop Wulfstan', 175–6.

¹¹³ JW, ii. 582.

was apparently granted to St Wærburh by King Edgar.¹¹⁴ The entry for Burwardesley in Cheshire Domesday records that one hide was taken from St Wærburh's church and that 'uendiderunt praepositi comitis Eduini et Morcar cuidam Rauechil' ('the reeves of Earl Eadwine and Earl Morcar sold it to a certain Ravenkel').¹¹⁵ The Leofwinesons were also implicitly accused of holding land which had once belonged to St John's, Chester. In 1086, the bishop of Chester claimed one and a half hides and a salt-house at 'Burwardestone', half a hide at Tilston, and two hides at Bettisfield which had belonged to the bishopric 'in Cnut's time': all these estates were held by Earl Eadwine *TRE*.¹¹⁶ When Goscelin wrote 'St Milburgh's Testament' in the last decade or so of the eleventh century, he transcribed what purport to be three early charters in favour of Wenlock, and one of these records a grant of land at Chelmarsh, another estate held by Earl Eadwine *TRE*.¹¹⁷

What is to be made of this evidence? To begin with, it is surely significant that Leominster, Wenlock, Chester St John's, and St Wærburh were all endowed with substantial and strategically valuable estates. Together with Berkeley, Tewkesbury, and Deerhurst in Gloucestershire, they formed a belt of large monastic estates which ran along the Welsh border. For that reason, they would have been much prized by the Leofwinesons and other magnates who exercised authority in this region. Indeed, four of these minsters—Berkeley, Tewkesbury, Deerhurst, and Leominster—were absorbed by secular lords during King Edward's reign.¹¹⁸ However, the Leofwinesons seem to have pursued a slightly different strategy with respect to the secular minsters of north-west Mercia: they may have taken small quantities of property from them, but did not attempt to suppress them altogether; and if John of

¹¹⁴ S 667; GDB 264a (Cheshire 1:34). I assume that the Upton referred to in S 667 is Upton by Chester and not the Upton on Wirral, since St Werburgh's estates tend to be concentrated very close to Chester.

¹¹⁵ GDB 264c (Cheshire 2:21).

¹¹⁶ GDB 263a (Cheshire B:13), 264b (Cheshire 2:1–2, 2:5).

¹¹⁷ *ECWM*, 147, 203, 205; GDB 257a (Shropshire 4:11:6).

¹¹⁸ For Deerhurst, divided between Earl Odda (later, St Peter's Westminster) and the abbey of St Denis, see Williams, *Odda of Deerhurst* and Wormald, *Anglo-Saxon Deerhurst*; for Tewkesbury, which formed part of the lordship of Beorhtric son of Ælfgar, see Williams, 'A West-Country Magnate'; for Leominster, scandalized by Earl Swein and held by Queen Edith *TRE*, see S. Foot, *Veiled Women*, 2 vols. (Aldershot, 2000), ii. 103–7; for Berkeley, apparently suppressed by Earl Godwine, see Foot, *Veiled Women*, ii. 39–42. For the process of 'secularization' to which many late Anglo-Saxon minsters succumbed, see Blair, *Church in Anglo-Saxon Society*, 323–41.

Worcester can be taken at his word, they were also benefactors of these minsters. Why?

Here it is perhaps significant that each of the minsters patronized by the Leofwinesons were centres of royal Mercian cults. St Mildburgh of Wenlock was the daughter of King Merewalh, a brother of King Wulfhere of Mercia (657–74), whose kingdom lay in the west of Mercia.¹¹⁹ According to Goscelin, Leominster was founded by St Milburgh's father, Merewalh.¹²⁰ St Wærburh was a member of the same family: she was the daughter of King Wulfhere and his wife Eormengild, who was also later canonized; she was responsible for founding at least three Mercian nunneries, and her cult was presumably already important when her relics were translated to Chester at some stage in the tenth century.¹²¹ In addition, Gerald of Wales thought that St John's, Chester had been founded by Wulfhere's brother Æthelred, king of Mercia (674–704).¹²²

It is impossible to gauge how important these cults were in late Anglo-Saxon England, but it is striking that several rulers of Mercia in the tenth and eleventh centuries made a point of associating themselves with them. Æthelred and Æthelflæd granted both land and a golden chalice weighing thirty mancuses 'in honour of the venerable virgin ... Mildburgh the abbess'.¹²³ King Edgar granted estates to St Wærburh.¹²⁴ John of Worcester says that when King Edgar was rowed on the Dee by eight *subreguli* from his palace, he chose St John's Chester as his destination.¹²⁵ Earl Roger entrusted Wenlock to monks from a daughter house of Cluny; and before long the cult of Mildburgh was being fanned by the work of Goscelin and others.¹²⁶ Finally, Earl Hugh 'refounded' St Wærburh's as a Benedictine monastery in 1093.¹²⁷

In short, a whole sequence of Mercian magnates from the early tenth century to the late eleventh contrived ways of harnessing Mercian

¹¹⁹ D. H. Farmer, *The Oxford Dictionary of Saints*, 4th edn (Oxford, 1997), 349–50.

¹²⁰ *ECWM*, 217–24; Rollason, 'List of Saints' Resting Places', 63, 90; Foot, *Veiled Women*, ii, 105–6; Blair, 'Handlist of Anglo-Saxon Saints', 544–5.

¹²¹ JW, ii, 126; Farmer, *Dictionary of Saints*, 166, 503; A. T. Thacker, 'Chester and Gloucester: Early Ecclesiastical Organisation in Two Mercian Burhs', *Northern History* 18 (1982), 199–211, at 203–6; Foot, *Veiled Women*, ii, 63–4; Blair, 'Handlist', 534, 557.

¹²² Thacker, 'Chester and Gloucester', 200.

¹²³ S 221.

¹²⁴ S 667.

¹²⁵ JW, ii, 424.

¹²⁶ J. F. A. Mason, 'Roger of Montgomery and his Sons, 1066–1102', *TRHS* 5th series 13 (1963), 1–28, at 9.

¹²⁷ *The Charters of the Anglo-Norman Earls of Chester, c. 1071–1237*, ed. G. Barracough, The Record Society of Lancashire and Cheshire vol. 126 (Gloucester, 1988), no. 3.

minsters together with their cults and dynastic associations to their cause. The Leofwinesons—like Æthelflæd, Edgar, Roger, and Hugh—were newcomers to the northwest. This helps to explain why Leofric and Godiva chose to cultivate connections with Leominster, Wenlock, St Wærburh and St John's; and why their family took only nibbles from the landed endowment of these religious houses rather than trying to swallow them wholesale.

BURTON ABBEY

The known connections between the Leofwinesons and Burton Abbey are twofold. First, according to Peterborough tradition, Burton was one of the abbacies controlled by Earl Leofric's namesake and nephew.¹²⁸ Second, there were several tenurial connections between the Leofwinesons and Burton Abbey. The endowment of Burton Abbey haemorrhaged at some stage between *c.* 1004 and 1066. Only fourteen of the fifty-two estates which Wulfric 'Spot' granted to Burton were held by the abbey *TRE*, and those that remained were not large or valuable estates: they comprised in total about seven hides and eight carucates, and had an aggregate value of about £11 *TRE*. When and why did this happen? Sawyer states the problem succinctly:

The losses may have occurred as a consequence of the fall from favour of Wulfric's brother Ælfhelm in 1006, followed nine years later by the fall of Morcar; but, as six of the estates lost by the abbey were held *TRE* by Earl Ælfgar and his family, the damage could have been done in the time of Abbot Leofric, Ælfgar's cousin.¹²⁹

This is a judicious assessment of the available evidence (though for Sawyer's six estates, read eight). However, there are good reasons for preferring the first of his two explanations, for whereas there is clear evidence that Burton's endowment suffered greatly as a consequence of the demise of Ælfhelm and Morcar,¹³⁰ there is also good evidence that Burton Abbey in fact enjoyed rather good relations with the house of Leofwine: Abbot Leofric leased (*prestittit*) one carucate at Appleby to Lady Godiva;¹³¹ Earl Leofric gave Austrey in Warwickshire to Burton

¹²⁸ Below, 190–5. ¹²⁹ *Burton*, ed. Sawyer, p. xlv.

¹³⁰ Insley, 'Politics, Conflict and Kinship', 28–42.

¹³¹ GDB 273b (Derbyshire 3:2).

Table 5.1. Burton Abbey estates held by the Leofwinesons *TRE*

Estate	County	DB ref.	Holder <i>TRE</i>	Number assigned to the estate in <i>Burton</i> , ed. Sawyer; other notes
Estates which had been granted by Wulfric to Burton Abbey				
Longford	Shropshire	4:19:1	Earl Eadwine	no. 36; 6 hides, £9
Stirchley	Shropshire	—	Earl Eadwine	no. 37; a berewick of Longford not referred to in DB
Newton Solney	Derbyshire	1:18	Earl Ælfgar	no. 40*; 7 carucates, £5
Sheriff Hales (<i>æt Halen</i>)	Staffordshire	8:5	Earls Ælfgar and Eadwine	no. 46*; 2 hides, £8
Sutton Maddock	Shropshire	4:23:16	Earl Morcar	no. 49; 4 hides, £2
Estates granted by Wulfric to other beneficiaries with reversion to Burton Abbey				
Elford	Staffordshire	1:26	Earl Ælfgar	no. 11; 3 hides, £11; granted to Wulfric's daughter with reversion to Burton
Tong (<i>æt Twongan</i>)	Shropshire	4:1:24	Earl Morcar	no. 29*; 3 hides, £11; granted to Æthelric with reversion to Burton
Other estates which formed part of Burton Abbey's endowment				
Rolleston	Staffordshire	10:3	Earl Morcar	no. 4; 2.5 hides, £10; granted by Wulfric to his brother Ælfhelm; subsequently granted to Burton by King Æthelred II in exchange for land in Gloucestershire (S 920)

*identification of estate uncertain.

Abbey;¹³² Coton-in-the-Elms was held by Earl Ælfgar *TRE* and by Burton Abbey in 1086,¹³³ and there is some evidence that one of Ælfgar's sons granted this estate to the abbey;¹³⁴ and Branston in

¹³² GDB 239a (Warwickshire 8:1).

¹³³ GDB 273b (Derbyshire 3:4).

¹³⁴ The Burton cartulary records that Coton-in-the-Elms was given to Burton Abbey by *comes* Morcar during the reign of King Æthelred II and that it was later acquired by King William but was restored by him to the abbey: G. Wrottesley, 'The Burton Chartulary', in *Collections for a History of Staffordshire*, William Salt Archaeological Society, Vol. 5 pt 1 (London, 1884), 1–104, at 9; *Burton*, ed. Sawyer, p. xlv. *Comes* Morcar could refer to the thegn who was killed in 1015, in which case *comes* is

Staffordshire may have been granted to Burton by Godiva since she held the estate *TRE* and it was held by the abbey in 1086.¹³⁵ It is of course possible that these 'benefactions' were intended to atone for the fact that the Leofwinesons had despoiled Burton; but it seems on balance more likely that the estates held by the Leofwinesons in 1066 which had formed part of Burton's original endowment had been prised from the monastery at a much earlier date.

ST MARY'S STOW AND BISHOP WULFWIG OF DORCHESTER

St Mary's Stow in Lincolnshire takes us east into new territory and a different diocese. Indeed, the thrust of this section will be to argue that Earl Leofric and Lady Godiva chose to favour this particular Lincolnshire minster precisely because it lay in territory which was new to them and which they hoped to colonize.

The evidence that they did so is as follows.

1. Twelfth-century chronicles. John of Worcester records that Earl Leofric and Lady Godiva enriched the church in the place called Stow St Mary. John also says that Stow was associated with Bishop Eadnoth, but fails to supply a verb to describe the nature of that association. Symeon of Durham supplies the verb *construxit* in the appropriate sentence thereby attributing the construction of the church at Stow to Eadnoth. Neither writer is explicit as to whether Bishop Eadnoth I (1006–16) or Bishop Eadnoth II (1034–49) was responsible. Henry of Huntingdon, writing chronologically later but geographically closer to Stow, says that Godiva built (*construxit*) the church of Stow 'sub promuntorio' ('under the promontory') of Lincoln.¹³⁶
2. S 1478. The Eynsham cartulary preserves a copy of an apparently authentic document which was issued between October 1053 and March 1055. It is written in Old English, and records an

inaccurate; or (and this seems more probable) it could refer to Earl Morcar, in which case the attribution to Æthelred's reign is inaccurate. Bates, no. 33 records that William granted Coton-in-the-Elms to the abbey of Burton 'as freely as Earl Morcar's mother held it'.

¹³⁵ GDB 247c (Staffordshire 4:2).

¹³⁶ JW, ii. 582; *HReg*, ii. 173; HH, 380–1.

agreement between Earl Leofric, Lady Godiva and Bishop Wulfwig (1053–67) concerning the endowment of Stow.¹³⁷

3. S 1233. This document is entered into the Eynsham cartulary immediately after S 1478. It is written in Latin and purports to be a charter issued by Lady Godiva and confirmed by Pope Victor II (1055–57). It records that Godiva granted to St Mary's Stow the following estates: Newark and Fledborough in Nottinghamshire; Brampton in Torksey, and Marton in Well Wapentake in Lincolnshire. This document is undoubtedly spurious.¹³⁸
4. Bates no. 277. This is written in Latin and follows immediately after S 1233 in the Eynsham cartulary. It records King William's announcement to the effect that he has confirmed the gift by Earl Leofric and his wife Godiva to the church of St Mary, namely of Newark, Fledborough, and the wapentake of Well. Bates defends the authenticity of this document.
5. Bates, no. 276. This is also preserved in the Eynsham cartulary although it occurs in the manuscript a few folios after Bates, no. 277. It is a copy of an Old English writ of King William whereby the king grants to St Mary's Stow estates at Newark, Fledborough, Brampton and the wapentake of Well just as Godiva formerly held them in King Edward's days. This is probably an authentic document of c. 1072.¹³⁹
6. Domesday Book. This records that Newark was held by Godiva *TRE*. Indeed, it was one of her most valuable manors with two berewicks, fourteen sokelands, fifty-six burgesses, all the customary dues of the wapentake, and a value of £50 *TRE*. It was held by Bishop Remigius in 1086.¹⁴⁰ Godiva also held one carucate and three and a half bovates with a value £8 at Fledborough *TRE*; this too was held by Bishop Remigius *TRW*.¹⁴¹ St Mary's Stow held four

¹³⁷ The dating limits of S 1478 are established by the appointment of Bishop Leofwine to the see of Lichfield following the death of Wulfsig in October 1053; and the death of Earl Siward shortly before a council held 'a week before mid-Lent' in 1055: *ASC D s.a.* 1053, *E s.a.* 1055.

¹³⁸ Although the witness list of S 1233 comprises only seven names, there are some glaring inconsistencies: Siward could not have been *dux* at the same time that Tostig was *comes*; and neither Siward nor Leofric were alive when Ealdred was archbishop of York (1061–69).

¹³⁹ Sawyer, *Anglo-Saxon Lincolnshire*, 249.

¹⁴⁰ GDB 283d (Nottinghamshire 6:1); below, 259–61.

¹⁴¹ GDB 284a (Nottinghamshire 6:13).

carucates at Brampton with a value of £12 *TRE*; this too was held by Bishop Remigius *TRW*.¹⁴² Marton is referred to in Domesday Book only as a sokeland of the manor of Gate Burton held by Gunnhvati and Godric *TRE* and by Count Alan *TRW*; however, the Lindsey Survey (1115–18) records that the bishop of Lincoln held four carucates at Marton.¹⁴³ Finally, the *clamores* section of the Lincolnshire Domesday records that St Mary's Stow possessed jurisdictional rights in Well wapentake *TRE*.¹⁴⁴

7. Architectural evidence. The church of St Mary's Stow preserves the lower sections of the transept and the piers of the crossing which belonged to the church which Leofric and Godiva are reputed to have enriched.¹⁴⁵

This evidence is problematic in various respects. To begin with, it is difficult to determine the precise nature of the arrangement between Leofric, Godiva and Wulfwig which S 1478 records. The charter states that Leofric and Godiva asked Bishop Wulfwig for permission to 'to endow' (*godian*) St Mary's, Stow, and that the bishop gladly agreed to this. It goes on to say that Leofric and Godiva had already provided the minster with priests, and had requested that 'divine service' (*þeowdom*) be celebrated there as it then was at St Paul's, London. It then asserts that the lands which Leofric and Godiva proposed 'to attach' (*lecgan*) to the church were to be specifically for the brethren. There follows an assertion to the effect that the endowment of the church would continue to be administered just as it had been under bishops Æthelric (1016–34) and Eadnoth (1034–49), such that the bishop had two thirds of its income and the priests the remaining third. Then comes the following statement:

þa land þe se bisceop 7 se eorl 7 Godgife 7 gode menn þiderinn geunnað beon
þa æffre into ðæra halgan stowe þam gebroðran to neode 7 þæt mynster to
godianne þæt nan bisceop þe æfter him kymð þærof nane feorme ne crafige
butan of ðam þe him mid rihte togebyrað into his bisceoprice eallswa oðre
bisceopas ær ætforan him hæfdon.

¹⁴² GDB 344a (Lincolnshire 7:10).

¹⁴³ GDB 347a (Lincolnshire 12:2); *The Lincolnshire Domesday and the Lindsey Survey*, ed. and trans. C. W. Foster and T. Longley, with introduction by F. M. Stenton, Lincoln Record Society 19 (Gainsborough, 1924), 243.

¹⁴⁴ GDB 376b (Lincolnshire CW: 9–11).

¹⁴⁵ See H. M. Taylor and J. Taylor, *Anglo-Saxon Architecture*, 2 vols. (Cambridge, 1965), ii. 584–93; and E. Fernie, *The Architecture of the Anglo-Saxons* (London, 1983), 124–7, who dates the crossing to the 1040s.

[the lands which the bishop and the earl and Godiva and good men grant to it are then ever to belong to the holy foundation for the needs of the brethren and to endow the minster, so that no bishop who comes after him shall demand any food-rent from it except what belongs to him by rights in his bishopric, as other bishops had before him possessed.]¹⁴⁶

There follows a witness list, which comprises the king and his leading counsellors, together with five men (Thurgod *lagen*, Siferth, Godric, Owine and Siric) who were perhaps local representatives, for the transaction is also said to have been made with the cognisance of all the *burhware* of Lincoln and of all the men who attend the yearly market at Stow. Then comes an anathema; and finally a statement to the effect that three versions of the charter were drawn up: one for the king's *haligdom*, one for Earl Leofric, and the third for the bishop to be kept at Stow.

This text raises two problems which are particularly pressing here. First, it is not clear how the increased endowment would be divided among the bishop and the priests. The intention may have been that Stow's increased endowment should be shared among the bishop and the community, with two thirds of the income reserved for the bishop and one third for the priests. However, it seems more likely that the bishop was not intended to have any rights at all in relation to the land granted to Stow by Leofric and Godiva: although the bishop would continue to enjoy the right to food-rent from the original endowment of the minster which belonged to the bishopric, Stow's newly acquired estates would be intended exclusively for its priests.

Second, the charter does not make it clear whether or not Leofric and Godiva actually honoured their pledge to endow Stow with land. S 1478 does not specify which estates were to be assigned to Stow, and the dispositive verbs are in the subjunctive tense: this suggests that Leofric and Godiva had not yet granted land to Stow when the charter was drawn up, and that its purpose was to establish the principles on which a subsequent grant would be made. To determine what happened next, we must return to Domesday Book and the other documents preserved in the Eynsham cartulary. For ease of reference, the relevant details are summarized in Table 5.2. The situation is far from clear: several permutations are possible depending on how the relevant texts are interpreted. Even the Domesday evidence turns in the hand as one tries to use it. Some questions: were Newark and Fledborough in fact held by Stow in 1066, and attributed to Lady Godiva anachronistically

¹⁴⁶ RoASch, 214–15.

Table 5.2. Documents relating to the endowment of St Mary's, Stow

Vill	S 1233	Bates, no. 277	Bates, no. 276	Domesday Book
Newark	Granted to Stow by Godiva	A gift of Leofric and Godiva to Stow confirmed by King William	Granted by King William to be held as fully as Godiva held it	Held by Godiva <i>TRE</i> and by Remigius in 1086
Fledborough	Granted to Stow by Godiva	A gift of Leofric and Godiva to Stow confirmed by King William	Granted by King William to be held as fully as Godiva held it	Held by Godiva <i>TRE</i> and by Remigius in 1086
Brampton	Granted to Stow by Godiva	—	Granted by King William to be held as fully as Godiva held it	Held by St Mary's Stow <i>TRE</i> and by Remigius in 1086
Marton	Granted to Stow by Godiva	—	—	Held by Gunnhvati and Godric <i>TRE</i> and by Count Alan <i>TRW</i>
Well Wapentake	—	A gift of Leofric and Godiva to Stow confirmed by King William	Granted by King William to be held as fully as Godiva held it	St Mary's Stow claimed jurisdictional rights <i>TRE</i> ; the same rights were reserved by William in 1086

because the Domesday commissioners were reliant upon an out of date geld list? Was the intention that Godiva would enjoy the usufruct of these estates until she died, when they would revert to Stow (i.e. had Leofric and Godiva made a *post-obitum* bequest of these estates to Stow)? Or were they held by Godiva *TRE* and then granted to Stow with William's consent between 1066 and 1086? For the present purposes it is better simply to point out the complexities than to attempt to resolve them. The simple truth is that we cannot be certain precisely when, how, or by whom Stow was endowed—though it seems probable that Leofric and Godiva did make a substantial grant of land to Stow at some stage.

This leaves the question as to why they chose to do so. Here, some aspects of the wider political background are relevant. To begin with,

Bishop Wulfwig would have been glad of the opportunity to reconfirm and consolidate his jurisdiction in Lincolnshire. During the period of Danish invasion and conquest of the late ninth and early tenth centuries, the see of Lindsey was disrupted, the bishopric of Leicester was removed to Dorchester, and Lincolnshire became reliant upon the archbishops of York for episcopal functions. Although the bishopric of Lindsey was revived by the 950s, it was combined with the bishopric of Dorchester in 971, and for more than a century thereafter it was uncertain as to whether Lindsey should fall within the jurisdiction of the bishop of Dorchester, the archbishop of York, or an independent bishop.¹⁴⁷ Naturally, the matter was a source of tension between successive bishops of Dorchester and archbishops of York, and this tension surfaced in the form of a dispute over Stow and its property in the mid eleventh century. On 3 May 1061, Pope Nicholas II issued a bull in favour of Bishop Wulfwig which reads as follows:

Concedimus et confirmamus tibi sicut supra legitur tuisque successoribus ibidem cononice promouendis inperpetuum queque prefate ecclesie pertinent tam que in presentiarum possidet uel possedit et maxime parrochiam Lindisi ecclesiamque Stou cum Newerca et appendiciis quas iniuste Aluricus archiepiscopus Eboracensis inuasit.

[We grant and confirm that there should pertain to you and to your successors to be subsequently canonically appointed in your place, all those things which the aforesaid church of Dorchester has possessed and now possesses: and especially the diocese of Lindsey and the churches of Stow with Newark and its appurtenances which, as we have heard from our legates and have learnt from the written testimony of our predecessors, Ælfric, archbishop of York, wrongfully seized.]¹⁴⁸

It is not clear precisely when or by whom the complaint was made to the pope.¹⁴⁹ The document also complicates the question as to who held Newark during King Edward's reign, since it implies that the estate was held by the archbishop of York at some stage during the time of Archbishop Ælfric (1023–51): if so, how and at what stage did the estate pass to Lady Godiva and thence to St Mary's Stow? Again, the

¹⁴⁷ Sawyer, *Anglo-Saxon Lincolnshire*, 144, 149–54.

¹⁴⁸ *Registrum Antiquissimum of the Cathedral Church of Lincoln, Volume I*, ed. C. W. Foster, Lincolnshire Record Society 27 (Hereford, 1931), no. 247; *EHD*, ii. no. 75.

¹⁴⁹ Sawyer, *Anglo-Saxon Lincolnshire*, 152, makes the reasonable assumption that the complaint was made by Wulfwig himself; and points out that, if so, the complaint must have been made between 1053 when he became bishop and early 1061: that is, either during the time of Archbishop Cynesige (1051–60), or shortly after Cynesige's death on 22 December 1060.

problems are more easily stated than resolved. However, the document does make it clear that the dispute between the bishop of Dorchester and the archbishop of York was current in the 1050s when the agreement recorded in S 1478 was made. To quote Sawyer once more:

Wulfwig's appeal shows that he considered York's claim to be a serious threat to his rights in Lindsey, and in particular concerning Stow minster... The enrichment of Stow by Leofric and Godgifu in 1054 and the confirmation that it was under the authority of the bishop of Dorchester was obviously an attempt to counter the archbishops' claim.¹⁵⁰

This is convincing analysis. However, S 1478 was an agreement involving more than one interested party, and it is therefore important to consider the other side of the bargain: what did Leofric and Godiva stand to gain?

Here, one further element in the political background to S 1478 is relevant. Just as there were competing claims for episcopal jurisdiction in Lindsey, so there was competition for comital authority in Lincolnshire, for this was one of the Midland shires where rival comital houses exercised authority at different times.¹⁵¹ When S 1478 was drawn up, the Leofwinesons did not yet have the problem of Earl Tostig in Northumbria to contend with; but Siward, earl of Northumbria and Ralph, earl of the east Midlands would both have been keen to extend their authority into Lincolnshire, assuming they had not done so already. Furthermore, the Leofwinesons would have regarded Lincolnshire as an especially valuable prize, since if Leofric could hold authority there and in Nottinghamshire, his earldom of Mercia and the earldom of East Anglia then held by Earl Ælfgar would have been coterminous: the family would thus have controlled a continuous belt of territory stretching from Cheshire to the Thames estuary above, Figure 3.1.

It looks as if the endowment of St Mary's Stow was much more than a straightforward act of piety. It was also a bargain between an earl and a bishop, both keen to plant a flag in territory which lay in the outer reaches of their authority, and thus to extend their respective spheres of influence to the exclusion of political rivals.

¹⁵⁰ Sawyer, *Anglo-Saxon Lincolnshire*, 152–3. For the suggestion that Burgheard son of Earl Ælfgar accompanied Bishop Wulfwig to Rome in 1061, see Baxter, 'The Death of Burgheard son of Ælfgar and its Context'.

¹⁵¹ Above, 64–8; below, Appendix 2.

CROWLAND

A twelfth-century manuscript known as the 'Guthlac Roll' consists of a sequence of drawings in ink on vellum depicting scenes from the life of St Guthlac. In the last of these drawings, King Æthelbald of Mercia and twelve other benefactors stand before St Guthlac at Crowland, each benefactor holding a scroll bearing his name and listing the estates which he had granted to the monastery.¹⁵² One of these scrolls depicts Earl Ælfgar (*Algarus comes*) granting Guthlac estates at Spalding, Pinchbeck, Whaplode, and Holbeach in Lincolnshire.¹⁵³

The artist has attempted to draw the benefactors in chronological order with King Æthelbald at the front and Alan de Craon (died c. 1154–5) at the back; Ælfgar occurs in the third row of six, behind two tenth-century benefactors (Thurketel and Ealdorman Æthelwine) and next to another eleventh-century benefactor (Northman *vicecomes*). There is no reason to doubt the essential veracity of the benefactions listed in the Guthlac Roll.¹⁵⁴ The likelihood that Earl Ælfgar's benefactions are accurately depicted on the Guthlac Roll is strengthened by Domesday Book, which records that Ælfgar held land in each of the places listed on his scroll, and that Crowland also held land in two of these places *TRE*. The details are set out in Table 5.3 which suggests that Ælfgar granted Crowland detached parcels of land from at least two and possibly three of his estates in South Lincolnshire, and granted them to Crowland.¹⁵⁵

¹⁵² *Guthlac Roll*, ed. Warner, plate 18.

¹⁵³ Warner (*Guthlac Roll*, 15–16) suggests that two of the other benefactors depicted close to Ælfgar in this scene were members of the house of Leofwine. He identifies *Normanus uicecomes*, who is shown granting estates at Sutton and Stapleton in Leicestershire, as Northman, brother of Earl Leofric; and *Toroldus vicecomes*, who is shown granting an estate at Bucknall in Lincolnshire, as Thurolde the sheriff, 'brother' of Lady Godiva. It is possible that the Northman represented on the Guthlac Roll was indeed the son of Leofwine, for two of his brothers are likely to have been sheriffs (above; 31–3), and Earl Leofric granted land at Stapleton, Leicestershire, to Coventry Abbey (above, 159 n. 29); but it should also be noted that a sheriff of Northampton named Northman is addressed in two (admittedly dubious) writs of King Edward (S 1110, 1138). However, there is no clear evidence that Thurolde of Bucknall held either land or office in pre-Conquest England, let alone that he was the brother of Lady Godiva, as claimed by the 'pseudo Ingulph' (below, Appendix 1).

¹⁵⁴ Sawyer, *Anglo-Saxon Lincolnshire*, 145–9, 243.

¹⁵⁵ For what it may be worth, the 'pseudo-Ingulph' contains a forged charter, S 1189, which is 'dated' 810, and purports to record a grant of a certain Ælfgar *comes* of land at Holbeach, Whaplode, Spalding, Pinchbeck, Algarkirk, Dowdike, Drayton and Burtoft.

Table 5.3. Villages in Lincolnshire where Earl Ælfgar and Crowland Abbey both held land¹

	Land held by Earl Ælfgar		Land held by Crowland	
	Carucates	Bovates	Carucates	Bovates
Spalding	9	—	2	—
Pinchbeck	10	—	?	?
Holbeach and Whaplode	24	12	1	—

¹GDB 346d (Lincolnshire 11:2), 351d (Lincolnshire 14:97), 351d (Lincolnshire 14:99), 346d (Lincolnshire 11:1), 348c (Lincolnshire 12:83–4), 346d (Lincolnshire 11:1), 338b (Lincolnshire 1:32). Domesday Book does not attribute an estate at Pinchbeck to Crowland, but the Guthlac Roll depicts Ælfgar granting land there to the abbey.

What did Ælfgar get in return for these gifts? Two possible explanations come to mind. First, in view of what has already been suggested about the value to the earls of Mercia of association with popular and royal Mercian saints' cults, it is surely significant that St Guthlac was descended from Mercian royalty, and that his cult was popular in late Anglo-Saxon England.¹⁵⁶ Second, it seems likely that Ælfgar's decision to become a benefactor of Crowland was determined by similar considerations to those which prompted his father to enrich St Mary's Stow. It is a reasonable guess that Ælfgar became a benefactor of St Guthlac's in the early 1050s when he became earl of East Anglia. Like his father, whose jurisdiction probably expanded into the east Midlands in the early 1050s, Ælfgar was keen to assert his power in East Anglia and the east Midlands at this time. For this reason, Crowland would have assumed strategic significance the house of Leofwine, because its estates were concentrated in south Lincolnshire and formed a territorial hinge connecting the Mercian and East Anglian earldoms.

ABBOT LEOFRIC AND HIS ABBATIAL EMPIRE

The known connections between the Leofwinesons and Peterborough Abbey boil down to two key facts: Ealdorman Leofwine's name occurs in a list of Peterborough's benefactors;¹⁵⁷ and Earl Leofric's nephew and namesake was the last pre-Conquest abbot of Peterborough.

¹⁵⁶ Blair, 'A Handlist of Anglo-Saxon Saints', 537. Here it may just be relevant that Guthlac was a monk at Repton, and that Repton with its minster was held by Earl Ælfgar *TRE*: GDB 272d (Derbyshire 1:20).

¹⁵⁷ Above, 18–19.

Two 'Peterborough interpolations' in MS E of the *Anglo-Saxon Chronicle* provide important information relating Abbot Leofric's career. The first of these describes his appointment in 1052:

7 on this ilcan tyme forlet Arnwi abbot of Burh abbotrice be his halre life 7 geaf hit Leofric munec be þes cynges leafe 7 be þære munece; 7 se abbot Arnwi lifode syððon viii winter, 7 se abbot Leofric godede þa þet mynstre swa þet man hit cleopede þa Gildene Burh; þa wæx hot swiðe on land 7 on gold 7 on seolfer.

[And at this time Earnwig, abbot of Peterborough, relinquished his abbacy while well and strong, and gave it to the monk Leofric with the permission of the king and the monks. And this Abbot Earnwig survived eight years; and the Abbot Leofric so enriched the monastery that it was called the Golden Borough. Then it grew greatly in land and silver.]¹⁵⁸

This implies that Leofric had been a monk of Peterborough prior to his appointment. From this point onwards he can be identified in the witness lists: his subscription first occurs in S 1478, the charter which pertains to the endowment of St Mary's Stow by Leofric and Godiva, and which is datable 1053 × 1055; and then in four royal diplomas which date to between 1062 and 1065. Leofric is also named in a spurious writ of King Edward's which purports to record an agreement between Abbot Leofric and Ælfwine, abbot of Ramsey.¹⁵⁹

The second 'Peterborough interpolation' concludes E's brief account of the battle of Hastings. It says that

ða wæs Leofric abbot of Burh æt þet ilca feord 7 sæclode þær 7 com ham 7 wæs dæd sone þæræfter on ælre halgan mæsseniht. God are his saule! On his dæg wæs ealle blisse 7 ealle gode on Burh, 7 he wæs leaf eall folc, swa þet se cyng geaf Sancte Peter 7 him þet abbotrice on Byrtune 7 se of Couentre, þet se eorl Leofric þe wæs his eam ær heafde macod, 7 se of Crulande 7 se of Þorneie. 7 he dyde swa mycel to gode into þet mynstre of Burh on golde on seolfre 7 on scrud 7 on lande swa nefre nan oðre ne dyde toforen him ne nan æfter him.

[Leofric, abbot of Peterborough, was at that campaign and fell ill there and came home, and died soon after, on the eve of All Saints. God have mercy on his soul! In his day there was every happiness and every good at Peterborough, and he was loved by everyone, so that the king gave to St Peter and him the abbacy of Burton and that of Coventry which Earl Leofric, who was his uncle, had built, and that of Crowland and that of Thorney. And he did much for the benefit of the monastery of Peterborough with gold and silver and vestments and land, more indeed than any before or after him.]¹⁶⁰

¹⁵⁸ ASC E s.a. 1052; MS E, ed. Irvine, 84.

¹⁵⁹ S 1036, 1037a, 1043, 1041, 1110; Keynes, *Atlas*, Table 73.

¹⁶⁰ ASC E s.a. 1066; MS E, ed. Irvine, 87.

It thus emerges that Leofric held several abbacies in plurality; that he was wounded (or contracted a fatal illness) at the battle of Hastings on 14 October 1066; and that he died a few days later on 31 October. The chronicle of Hugh Candidus, a monk of Peterborough, written in the mid twelfth century, contains similar information: it says that Leofric enjoyed the favour of King Edward and Queen Edith to such an extent that he was assigned the abbacies of Burton, Coventry, Crowland, and Thorney as well as that of Peterborough 'ita ut esset abbas et pastor super quinque monasteria' ('so that he was abbot and shepherd of five monasteries'). Hugh also describes Abbot Leofric's lavish generosity:

Hic multas terras et uaria ornamenta ad honorem ecclesie sue adquisiuit. Sed et magnam crucem que super altare est mirabili opere de argento et auro fecit. Candelabra etiam aurea et argentea et magnam tabulam ante altare totam ex auro et argento et preciosis gemmis, et plurima feretra et texta euuangeliorum et multas alias res, similiter omnia ex auro et argento fecit. Casulam quoque ex purpura optime de auro et preciosis gemmis ornatam et aliam candidam similiter ex purpura: capamque uiridem ex purpura, et alias multas casulas et capas, et pallia, et alia ornamenta dedit, plusquam ullus ante eum fecit, aut post eum facturus est.

[He acquired many lands and various ornaments to the honour of his church. Moreover, he made the great cross which is over the altar, of wondrous workmanship all of silver and of gold. And he made the golden and silver candlesticks, and the great panel in front of the altar, all of gold and silver and precious stones, and many feretories, texts of the Gospels, and various other things, which in like manner were all of gold and silver. Also, he made a chasuble of purple, thickly adorned with gold and precious stones, and another white one likewise of purple, a green cope of purple, and many other chasubles, copes, palls, and other adornments he gave. None before his time did more than he and none after him is likely to do more.]¹⁶¹

It is entirely credible that Leofric, the nephew of one of the wealthiest magnates, was able to give sumptuous treasures to Peterborough.¹⁶² But did he really hold five abbacies in plurality?

Most scholars have accepted the evidence at face value, and some have pointed to circumstantial reasons for accepting that he did so. Peterborough, Thorney, and Crowland were located sufficiently close to one another to make them a geographically coherent operation to run. Thorney, Crowland, and Burton all had relatively small endowments,

¹⁶¹ *Hugh Candidus*, 66–7; cf. *ASC E s.a.* 1052.

¹⁶² Dodwell, *Anglo-Saxon Art*, 188–215 at 202.

so it may have seemed pragmatic to place them under the suzerainty of Abbot Leofric, backed by the tenurial resources of Peterborough and the political clout of his uncle. Leofric need not have exercised 'direct sway' over all five monasteries, and the extent of his authority may have been limited to matters such as appointments.¹⁶³ However, there is now a weighty dissenting voice:

There is slight support for Leofric's tenure of Burton, whose annals are, however, late and very confused. But there is grave doubt about Crowland and Thorney, even though they were close to Peterborough and some kind of suzerainty over the Fenland abbeys is conceivable, and there is no evidence at all, even in the famous [Coventry] forgeries, for Leofric as abbot.¹⁶⁴

This challenge to received opinion demands a further review of the evidence. Let us begin with Burton. The fourteenth-century Burton annals which make Leofric abbot from 1051 until 1085 are indeed late and confused. Leofric died in 1066, so the 1085 date is an error, and this rather discredits the source.¹⁶⁵ However, the Burton annals are by no means the earliest or best evidence of Leofric's tenure of the abbacy since, as we have seen, Domesday Book records that Abbot Leofric leased one of Burton's estates to Lady Godiva. Sawyer assumed that the lessor was identical with the nephew of Godiva's husband, and he was surely correct in doing so.¹⁶⁶

Leofric does not occur in any extant list of Thorney abbots. However, these lists do not establish the identity of the abbots between 1049 when Abbot Oswig died (according to the *Anglo-Saxon Chronicle*), and c. 1068 when Fulcard became abbot (according to Orderic). Fourteenth-century sources record that Oswig was succeeded by a certain Leofwine; that the next two abbots (one of them named Siward) were not blessed; and that Siward held office for ten years.¹⁶⁷ This evidence leaves a chronological gap for Leofric to have held office at Thorney. Two further pieces of evidence strengthen this case. First, it is significant that the Thorney archive preserves a copy of the diploma whereby King

¹⁶³ For example: R. R. Darlington, 'Ecclesiastical Reform in the Late Old English Period', *EHR* 51 (1936), 385–428, at 403 n. 1; *Writs*, 565; Barlow, *English Church*, 57 (on Leofric), and 97, 135, 303–304 (on pluralism); *HRH*, 31, 40, 42, 60, 74.

¹⁶⁴ *EEA* 14, p. xxvi.

¹⁶⁵ *Annales Monastici*, ed. H. R. Luard, 5 vols., Rolls Series 81–5 (London, 1864–9), i. 185. Even so, the suggestion (*HRH*, 31) that Leofric's obit has simply been confused with that of his successor in this source is plausible.

¹⁶⁶ GDB 273b (Derbyshire 3:2); *Burton*, ed. Sawyer, pp. xxxiii, xliii.

¹⁶⁷ *HRH*, 74.

Æthelred II granted three hides at Twywell in Northamptonshire to Northman son of Leofwine in 1013, and that the estate in question was held by Thorney abbey in 1066, for this makes it probable that either Northman or one of his kinsmen granted the estate to Thorney.¹⁶⁸ Indeed, since the identity of his father is not known, it is on this basis tempting to speculate that Abbot Leofric was the son of Northman, and that Leofric granted Twywell to Thorney for the sake of his father's soul. Second, and less speculatively, the archives of Ramsey and Thorney both preserve copies of a vernacular memorandum listing the names of those who witnessed a boundary dispute between Ramsey and Thorney. Ramsey was represented by Abbot Ælfwine (1043–1079/80), and Thorney was represented by Leofric, abbot of Peterborough, 'for he haveðe Þorneye þanne to gevien' ('for he then had Thorney in his charge'), and by Siward, provost of Thorney, who 'was siþen abbot þerinne' ('was afterwards abbot there').¹⁶⁹

The Crowland evidence relating to Leofric's abbacy comprises the testimony of Orderic in combination with the 'pseudo-Ingulf', which in this instance may contain some genuine material drawn from a source common with Orderic's. Orderic records that:

Wlfgeatus itaque postquam longo tempore Crulandiæ curam gessit, nonas iulii obiit et Wlfketelus Burgensis æcclesiæ monachus Crulandiæ regimen a rege Eduardo iubente Leofrico abbate suo suscepit. Hic xxiv annis Crulandiæ præfuit.

[Wulfgeat had charge of Crowland for many years, and when he died on 7 July Wulfketel a monk of Peterborough was made abbot of Crowland by the choice of King Edward with the permission of Abbot Leofric of Peterborough. He governed Crowland for twenty-four years.]¹⁷⁰

The 'pseudo-Ingulf' says that Wulfgeat died on 9 July 1052 having been abbot for four years; that he was succeeded by Wulfketel, a monk of Crowland and sacrist of Peterborough who was installed as abbot on 22 July 1052; and that, although Wulfketel did not die until 1085, he was nonetheless succeeded by Ingulf who was invested on 25 December 1075 and installed on 25 January 1076.¹⁷¹ Thus, the 'pseudo-Ingulf' also assigns Wulfketel twenty-four years, but leaves no room for Leofric. However, two further sources—the *Acta Lanfanci* together with a set of Thorney annals—confirm that Wulfketel was deposed in 1085–6.¹⁷²

¹⁶⁸ S 931; GDB 222b (Northamptonshire 10:1).

¹⁶⁹ LS 93; *Cartularium Monasterii de Rameseia*, ed. W. M. Hart and P. A. Lyons, Rolls Series 79, 3 vols. (London, 1884–1893), i. 188, iii. 38; *Writs*, 254.

¹⁷⁰ OV, ii. 344–5.

¹⁷¹ *Ingulf*, ed. Birch, 113, 128, 131–3.

¹⁷² *HRH*, 41–2, 246–7.

Therefore, assuming that it is correct that Wulfketel's tenure lasted for twenty-four years, he cannot have been installed until 1062—and this leaves another chronological gap between 1052 and 1062 when Leofric could have been acting abbot. This hypothesis would also help to explain why Orderic believed that King Edward needed to elicit Leofric's support for Wulfketel's appointment: Leofric's affirmation would have been necessary not only because Wulfketel was a monk of Peterborough, but also because the appointment deprived Leofric of one of his jobs and a lucrative source of income.

It is true that there is no evidence besides the Peterborough chronicles to prove that Leofric was abbot of Coventry. However, as with both Crowland and Thorney, there is a chronological gap in the established sequence of Coventry abbots during the 1050s and 1060s. As we have seen, Leofwine was abbot of Coventry from 1043, became bishop of Lichfield in 1053, and was forced to resign the see in 1071. It is also known that the next abbot of Coventry in the lists was named Leofwine, and it is probable that Leofwine 'II' was identical with Leofwine 'I'.¹⁷³ However, the situation between 1053 and 1071 is decidedly unclear. Leofwine could have been both abbot of Coventry and bishop of Lichfield. However, it is also possible that Abbot Leofric assumed some kind of authority at Coventry between 1053 and 1066, either as abbot in his own right, or as Leofwine's superior.

To sum up, the Peterborough tradition that Abbot Leofric enjoyed authority over five monasteries is supported by clear evidence in the case of Peterborough, Burton, and Thorney, and is not refuted by the available evidence relating to Crowland or Coventry. The balance of evidence therefore suggests that the Peterborough tradition was accurate. The balance tips still further in that direction when the problem is considered in the wider context of the relationships between the Leofwinesons and the minsters of Mercia. It would appear that Abbot Leofric and Earl Leofric pursued a consistent and coherent strategy to establish and intensify the family's links with the most prominent religious houses in the region where the family enjoyed power and influence.

CONCLUSIONS

Most of the information contained in John of Worcester's annal for 1057 can be verified. Leofric and Godiva were indeed responsible for

¹⁷³ Above, 155; *EEA* 14, p. xxvii.

the foundation of Coventry and for the endowment of St Mary's Stow, and they did grant estates to Worcester and Evesham. John's assertion that Godiva was especially devoted to St Mary can also be substantiated: Coventry, Stow, Evesham, and Burton were all dedicated to St Mary; the Evesham Chronicle says that Leofric and Godiva furnished the church of Holy Trinity, Evesham, with a large image of St Mary; and William of Malmesbury says that Godiva hung a necklace of gems which she had used as a rosary around an image of the Blessed Virgin, adding that the necklace was worth about one hundred silver marks.¹⁷⁴ All this strengthens the case for accepting John's description of the benefactions of Leofric and Godiva for which he is the only source: those of Leominster, Wenlock, Chester St John, and St Wærburh. John does not, however, supply a complete list of the Leofwinesons' benefactions, for he does not refer to the close connections between the Leofwinesons and Burton, to Earl Ælfgar's patronage of Crowland, or to Abbot Leofric's monastic empire; nor does he remark upon the complex connections between the earls and the bishops of Worcester, Lichfield, Dorchester, or St Paul's.¹⁷⁵

This chapter has placed much emphasis on the social and political importance of the Leofwinesons' religious patronage, but it would be unduly cynical and misleading to suggest that such acts lacked pious intent. The author of the *Vision of Earl Leofric*, who seems to have known Leofric well, was clearly impressed by the strength of his devotion, and this is entirely consistent with the range and volume of his pious deeds. The primacy of religious motivation is demonstrable for at least one of the Leofwinesons' benefactions, for it is hard to see how Earl Ælfgar could have derived much if any social or political benefit from granting land to St Remigius Reims: it is surely better to accept at face value the charter which asserts that the grant was made by grieving parents to ensure that the community of St Remigius would intercede for the sake of their son's soul.¹⁷⁶ Again, when Leofric and Godiva granted (or

¹⁷⁴ *Evesham*, 154; WM, GP, 470–2.

¹⁷⁵ The connections between the Leofwinesons and St Paul's have not been treated separately in this chapter, but some can be established. An inventory of St Paul's records that Lady Godiva gave several rich objects to St Paul's (below, 199 n. 188); and as we have seen, Leofric and Godiva requested that the community at Stow should adopt similar liturgical practices to those followed at St Paul's (above, 184). Here it must also be relevant that Ælfward, abbot of Evesham (c. 1014–1044), who was a kinsman of Ælfgift of Northampton (herself related to the house of Leofwine by marriage (below, Appendix 1), was also bishop of London between 1035 and 1044; see W. Hunt, 'Ælfward (d. 1044)', rev. M. Costambeys, in *ODNB*; *PASE* (2005), s.n. 'Ælfward 36'.

¹⁷⁶ S 1237; Baxter, 'The Death of Burgheard son of Earl Ælfgar and its Context'.

returned) land to the church of Worcester, they did so for the love of God and on the condition that the monks should intercede for their souls.¹⁷⁷ The fact that such formulae were conventional in eleventh-century diplomatic practice does not mean they were devoid of meaning.

The Leofwinesons do not appear to have favoured any particular mode of religious life to the exclusion of any other. Their *eigenkirche* was Benedictine and they were benefactors of some Benedictine houses, but they also 'despoiled' land from others, and were patrons of several secular minsters. Coventry aside, their most substantial benefaction was apparently in favour of St Mary's Stow, a college of secular canons. Leofric and Godiva not only endowed the minster with land, but also furnished it with priests and requested that divine service be celebrated there as it was at St Paul's in London. Since St Paul's is known to have had a version of Amalarius, it is possible that Leofric and Godiva intended the community at Stow to follow a rule based on this text.¹⁷⁸ This serves as a reminder that, although Benedictine monks wrote most of what is known about the late Anglo-Saxon church, we should not be misled into believing that they also enjoyed a monopoly of religious patronage in late Anglo-Saxon England.¹⁷⁹

Religious patronage also gave the late Anglo-Saxon nobility opportunities to indulge its love of treasure.¹⁸⁰ The Leofwinesons were not exception in this regard. Several sources stress the opulence of their monasteries. John of Worcester thought that Coventry possessed more gold, silver, and precious stones than any other monastery in England.¹⁸¹ William of Malmesbury described how Robert de Limesey coveted Coventry's treasures, eventually denuding a beam inside the church of five hundred marks of silver.¹⁸² According to Orderic, many of Coventry's treasures had been granted to the abbey by Godiva:

Godioua uero religiosa comitissa omnem thesaurum suum eidem æcclesiæ contulit; et accersitis aurifabris quicquid in auro et argento habuit, ad construendum sacros textus et cruces ac imagines sanctorum aliaque mirifica æcclesiæ ornamenta deuote distribuit.

[Godiva, a truly pious countess, lavished all her treasure upon the church: sending for goldsmiths she gave them her whole store of gold and silver to work

¹⁷⁷ S 1232.

¹⁷⁸ S 1478; J. Blair, 'Secular Minster Churches', in *Domesday Book: A Reassessment*, ed. P. H. Sawyer (London, 1985), 104–42, at 123.

¹⁷⁹ Blair, *Church in Anglo-Saxon Society*, 341–67.

¹⁸⁰ Campbell, 'England, c. 991', 158–9.

¹⁸¹ JW, ii. 582. ¹⁸² WM, GP, 470.

into covers for gospel books, crosses, images of the saints and other marvellously wrought ecclesiastical ornaments.]¹⁸³

It is probable that some of these objects were made by Mannig, abbot of Evesham, for the Evesham Chronicle says that he was a skilled artist and goldsmith who made many highly acclaimed works for Coventry among other places.¹⁸⁴ Only one of the objects commissioned by the house of Leofwine has survived: the gospel book granted by Earl Ælfgar and Ælfifu to St Remigius Reims for the sake of Burgheard's soul. Given the close connections between the Leofwinesons and Evesham, it is legitimate to wonder whether this may have been Mannig's work. It was certainly the work of a skilled artist, for it is generally considered among the finest illuminated manuscripts to have survived from eleventh-century England; and it would have been finer still when encased in its book cover, now lost, which is said to have been made of gold, silver, and jewels. Something of its magnificence can be gauged by contemplating the cover of New York, Pierpont Morgan Library, M. 708—a gospel book known to have been owned by Earl Tostig's wife, Judith—which corresponds closely to the description we have of Ælfgar's gospel book.¹⁸⁵

Coventry and St Remigius Reims were by no means the only religious houses which were enriched with the Leofwinesons' treasure. Leofric and Godiva also furnished Holy Trinity, Evesham, with 'a large cross' ('*crucem non modicam*') and with statues of St Mary and St John, all excellently made in silver and gold. Here one recalls Professor Dodwell's suggestion that 'when a writer was describing an Anglo-Saxon statue as *large*, he was thinking of something that was at least life-size'.¹⁸⁶ Hemming supplies a list of objects given to Worcester by Godiva for the sake of her husband's soul: '*tria pallia, cortinas duas, bancalia duo, candelabra duo bene et honorifice parata, et bibliothecam in duabus partibus divisam*' ('three altar cloths, two curtains, two cushions, two fine and honourably fashioned candlesticks, and a Bible divided into two parts'). These were presumably sumptuous objects, since Godiva's gifts were supposedly intended to persuade the monks of Worcester to renew her lease on

¹⁸³ OV, ii. 216.

¹⁸⁴ *Evesham*, 156–8.

¹⁸⁵ Hinkle, 'Gift of an Anglo-Saxon Gospel Book', 25; Baxter, 'The Death of Burgheard son of Earl Ælfgar and its Context'. The best colour reproduction of the cover of Pierpont Morgan Library, M. 708 is P. Needham, *Twelve Centuries of Bookbinding 400–1600* (London, 1979), p. xxi, with discussion, 33–5. See further P. McGurk and J. Rosenthal, 'The Anglo-Saxon Gospelbooks of Judith of Flanders: the Text, Make-up and Function', *ASE* 24 (1991), 201–308.

¹⁸⁶ Dodwell, *Anglo-Saxon Art*, 212.

four estates.¹⁸⁷ That Godiva's garments are likely to have been exceedingly precious is suggested by a thirteenth-century inventory of St Paul's London, which records that she gave to St Paul's a gold embroidered chasuble studded with gems.¹⁸⁸ A fourteenth-century Canterbury treasury account gives us some idea of the value of such objects. It describes how a cope and two chasubles, then thought to have been made in the eleventh century, were incinerated to recover the gold with which they had been decorated: the exercise raised £116 for the cope and £138 for each of the two chasubles.¹⁸⁹ These examples serve as a reminder of the profound social, cultural and economic value attached to movable wealth by the late Anglo-Saxon nobility: theirs was a world in which the income generated by a nobleman's estates might represent only a fraction of the value of the treasure which he could wear or carry. Gifts of such treasures to churches were important expressions of status display, social prestige, and sheer economic power; but they also represented a means of expressing the intensity and depth of their devotion—a way for noblemen to propitiate their Lord with the full vigour of their culture and the most valuable of their possessions.

Of course, the Leofwinesons did not treat all religious houses with equal generosity: on the contrary, like many of their peers, the Leofwinesons exploited the wealth of certain monasteries at the same time as they were enriching others. It is not necessary to accept everything that Hemming wrote in his *codicellus* to register the basic truth that the church of Worcester lost about a quarter of its endowment between 1016 and 1066, and that the Leofwinesons were heavily involved in the process. The Leofwinesons acquired monastic property in various ways ranging from violent appropriation to more legitimate lease arrangements. Indeed, it is probably misleading to draw a sharp distinction between spoliation and voluntary alienation on the part of monasteries: the difference often seems to have more to do with the manner in which transactions were described in partisan sources than with the actual nature of the transactions themselves.

¹⁸⁷ *HC*, 261–2.

¹⁸⁸ W. Sparrow Simson, 'Two Inventories of the Cathedral Church of St Paul, London, Dated Respectively 1245 and 1402', *Archaeologia* 50 (1887), 439–524, at 482: 'Casula Godivae de Coventria est de quo panno nigro minutissime ginillato cum gemellis purpureis et rubeis cum aurifrigio, fino interhumerali breudatur arbor auro sine lapidibus.'

¹⁸⁹ Dodwell, *Anglo-Saxon Art*, 181 n. 75.

The Leofwinesons were able to pass on some of the benefits of their connections with Mercian minsters to their commended men. Several individuals who held land from the church of Worcester are known to have been commended to the Leofwinesons, and some of them appear to have held land from Worcester *because* they were commended to Leofwinesons. We can rely on Hemming's testimony to this extent: the earls of Mercia, like the former kings of Mercia, regarded monastic wealth as an opportunity to reward their own men at someone else's expense. However, the Leofwinesons' men were also encouraged to make gifts to the minsters favoured by their lords: by being patrons of the same monasteries, the Leofwinesons and their men reaffirmed their allegiance to one another in ways which were all the more powerful for being both spiritual and social.

This is a reminder that the social and political benefits of religious patronage could be considerable. Recent work has shown that, on the Continent in the tenth and eleventh centuries, monasteries formed important hubs between greater and lesser aristocratic families, creating powerful communities of interest between them.¹⁹⁰ For example, Dr Nightingale has shown how the Lotharingian aristocracy established connections with major monasteries such as Gorze, St Evre, Bouxières-aux-Dames and St Maximin. These connections could assume a variety of forms—spiritual, social, and tenurial.

In an age before the emergence of familial castles, monasteries acted as nodal points in the social structure of the landowning elite, lending families a degree of cohesion and identity which may otherwise have been lacking. A whole web of relationships linked individual families to an abbey: burial, redemptive prayer, kinship with inmates, and attendance on the abbey on feast days; disparate members of a family were given common cause by their shared interests in an abbey's landholding.¹⁹¹

Tenurial ties between particular families and monasteries were formed through often complex combinations of donations and precarial arrangements made by several generations of the same family. The web of familial ties thus formed 'could not be unravelled even by the most dramatic changes in overlordship'. This had obvious advantages for both monasteries and their precarial tenants: the monasteries' fortunes were rendered less dependent upon individual overlords, and the precarial

¹⁹⁰ Above, 14 n. 42.

¹⁹¹ Nightingale, *Monasteries and Patrons*, 5.

holders and their families obtained a more secure footing in their local political communities. Similar calculations were made in late Anglo-Saxon Mercia, and this is crucial for understanding the Leofwinesons' religious motivation: because the minsters they patronized were firmly rooted in local, shire communities, there was much to be gained by associating with them.

Monasteries were places where the aristocracy could meet, pray, conduct serious business and enjoy *convivium*. The Ramsey Chronicle contains a revealing account of the manner in which Ealdorman Æthelwine celebrated the consecration of the rebuilt church at Ramsey in 991. He invited 'primos magnos viros et potentes' from Cambridgeshire, Hertfordshire, Bedfordshire, Huntingdonshire, Northamptonshire and Kesteven, together with the bishop of Dorchester and the abbots of Ely, St Albans, Peterborough, and Thorney (this sounds like a meeting of the ealdorman's affinity). King Edgar's charter was read out, the audience confirmed the abbey in its possessions, and then Oswald and Æthelwine jointly performed the office of consecration. Afterwards there followed a lavish party: 'quam splendide, quam affluenter, quam opipare' the banquet was the Ramsey chronicler could not bring himself to say. The writer was probably drawing on a contemporary, perhaps eye-witness, account of the same occasion written by Byrhtferth of Ramsey. Byrhtferth says there were drinking horns decorated in gold and silver, and that guests were offered nectar and wine fit for a king's table: this was 'dignissimum atque regale præparatum convivium'. The following day Æthelwine took the opportunity to meet with his *præfecti* and *milites* who promised the monks protection.¹⁹² The consecration of Coventry was no doubt celebrated in a similarly splendid fashion, with the leading members of Earl Leofric's affinity in attendance pledging to protect their lord's new foundation—and to be loyal to King Edward's newly established regime.

The political calculations of the Leofwinesons were partly influenced and partly determined by their relationships with the monasteries within their earldoms. During political crises, monasteries could act as the focal point of mediation between the two parties: a kind of arbitration service, backed by intercessory prayer. Both Leofric and Cnut were related to Abbot Ælfweard and both were benefactors of Evesham, and these connections may have done something to heal the rift between Cnut and the Leofwinesons following the execution of Northman.

¹⁹² *Rams*, 90–7; *HCY*, i. 463–7.

The consecration of Coventry appears to have been staged by Leofric to win royal favour in the delicate political circumstances during the first few months of Edward's reign. It is also interesting that Abbot Leofric was engaged in several disputes with Queen Edith regarding Peterborough property, yet Earl Harold was remembered as a benefactor of the monastery. Harold's gift to Peterborough was made either late in Edward's reign or early in Harold's, and was perhaps intended to placate Eadwine, Morcar, and Ealdgyth as a symbol of reconciliation between the two families.¹⁹³

The Leofwinesons also used monastic patronage to mark out the political geography of their earldoms. The estates of some of the secular minsters patronized by the Leofwinesons were located in areas where the family lacked a strong landed base. It is also striking that these minsters and their estates were located in shires where comital authority was frequently switched from one comital house to another. It looks as if the Leofwinesons used monastic patronage to strengthen their grip on power where they felt most vulnerable. Continental parallels are again helpful here. Fulk Nerra, Count of Anjou, built two abbeys: St Nicholas at Angers, the centre of his political power; and Beaulieu near Loches, the great outpost of his power in the south east.¹⁹⁴ The Leofwinesons' strategy was similar to Fulk's: both used religious patronage to 'provide an entrée into an area not properly under the patron's control, or on which he had ambitions, around which he might then extend his influence'.¹⁹⁵ The foundation of Coventry was the Leofwinesons' St Nicholas, located in the family heartland; there followed gifts to minsters on the periphery of their earldom—Chester, Wenlock and Leominster in the north west, Stow in the north east, Crowland and Peterborough in the south east—a sequence of Beaulieus.

¹⁹³ For the dispute between Abbot Leofric and Queen Edith over land at Fiskerton, see LS 91 and *Hugh Candidus*, 67. Hugh goes on to say that Abbot Leofric gave eight marks of gold to the king in order to recover an estate which had been leased to a chaplain of Queen Edith's named Ælfgar; when Ælfgar died 'the king and queen had tried to take it away'. The same source also accuses Queen Edith of taking 'a text of the Gospels beautifully adorned with gold, and ornaments worth three hundred pounds' which Archbishop Cynesige had left to Peterborough with his body (*Hugh Candidus*, 73). Earl Harold gave to Peterborough an estate at Clifton and another in London close to the minster of St Paul's near the haven which is called *Etheredeshythe* (*Hugh Candidus*, 70). Cf. Stafford, *QE*, 137–7, 267–8.

¹⁹⁴ R. W. Southern, *The Making of the Middle Ages* (London, 1953), 81–7.

¹⁹⁵ Hunt, 'Piety, Prestige or Politics', 110.

The annal for 1057 in MS D of the *Anglo-Saxon Chronicle* remarks that Earl Leofric was ‘swiðe wis for Gode ⁊ eac for wuolde, þæt fremode eallre þisre ðeode’ (‘very wise in divine and worldly matters, and that benefited all this people’).¹⁹⁶ This is a fitting epitaph for Earl Leofric: he was indeed wise in divine and worldly affairs, not least because they were so intimately connected. The exercise of religious patronage was one of the means by which Leofric and his family were able to connect into local circuits of power. Lordship was another.

¹⁹⁶ ASC D *s.a.* 1057; MS D, ed. Cubbin, 75.

6

Lordship and the House of Leofwine

This chapter aims to reconstruct the network of lordship through which the Leofwinesons exercised power. It identifies the individuals bound to the Leofwinesons in various ways, challenges prevailing assumptions about the structure of pre-Conquest lordship, and develops a new way of analysing the representation of lordship and land tenure in Domesday Book.

THE STRUCTURE OF PRE-CONQUEST LORDSHIP

Maitland began his seminal discussion of pre-Conquest lordship by saying: 'We may distinguish three different bonds by which a man may be bound to a lord, a personal bond, a tenurial bond, a jurisdictional or justiciary bond.'¹

The personal bond was created by the act of commendation (Latin, *commendatio*). Maitland did not 'know what English word was represented by *commendatio*', but subsequent work has shown that it translated Old English *mannrædenn*.² The man was to bow before his lord (*hlaforð*) and swear an oath of allegiance (*holdað*).³ An Old English text known as

¹ Maitland, *DBB*, 67.

² Maitland, *DBB*, 86; F. M. Stenton, 'St. Benet of Holme and the Norman Conquest', *EHR* 37 (1922), 225–35, esp. 30–1; A. Williams, 'The Knights of Shaftesbury Abbey', *ANS* 8 (1986), 214–42, esp. 215, 233, 237; J. Bosworth with T. Toller and supplement by A. Campbell, *An Anglo-Saxon Dictionary*, 2 vols., repr. (Oxford, 1972), s.v. *mannrædenn*, where the word is translated 'homage, the condition of being another's man'. See further J. Wormald, *Lords and Men in Scotland: Bonds of Manrent, 1442–1603* (Edinburgh, 1985), 14–15.

³ Examples are collected by Healey and Venezky, *Dictionary of Old English*, s.v. *bagan*. As Pollock and Maitland noticed (*History of English Law*, i. 297), *The Wanderer*, lines 41–44 (*The Anglo-Saxon Poetic Records: A Collective Edition, Volume III, The Exeter Book*, ed. G. P. Krapp and E. van Kirk Dobbie (New York, 1936), 135), contains what may be a description of the ritual of commendation: the outcast was saddened when

Swerian, which consists of oath formulae for various occasions, begins with the oath of loyalty to lords:

On ðone Drihten, þe ðes haligdom is fore halig, ic wille beon N. hold 7 getriwe 7 eal lufian ðæt he lufað 7 eal ascunian ðæt he ascunað, æfter Godes rihte 7 æfter woruldgerysnum, 7 næfre willes ne gewældes, wordes ne weorces owiht don ðæs him ladre bið, wid þam ðe he me healde, swa ic earnian wille, 7 eall þæt læste, þæt uncer formæl wæs, þa ic to him gebeah 7 his willan geceas.

[By the Lord, before whom these relics are holy, I will be loyal and true to N, and love all that he loves, and hate all that he hates, in accordance with God's rights and secular obligations; and never, willingly and intentionally, in word or deed, do anything that is hateful to him; on condition that he keep me as I shall deserve, and carry out all that was our agreement, when I subjected myself to him and chose his favour.]⁴

The wording of some legislation implies that the act of commendation should take place in public meetings,⁵ witnessed by royal officials.⁶ Some commendations were regulated by royal writs,⁷ and it is probable that records of all commendations were kept.⁸ The bond of commendation retained force for as long as both parties were alive and, although it could be dissolved by mutual agreement, it could only be unilaterally broken in extreme circumstances.⁹ It was rare, though occasionally permitted, for a man to be commended to more than one lord; this contrasts

he thought of how he had once clasped and kissed his lord, and laid his head and hand on his knee. Cf. Wulfstan of Winchester, *Life of St Æthelwold*, ed. and trans. M. Lapidge and M. Winterbottom (Oxford, 1991), 62.

⁴ *Swerian* 1 (Liebermann, i. 396–7; trans. D. Whitelock, *The Beginnings of English Society* (London, 1952), 33). *Swerian* was probably compiled in the early tenth century, but the formulae it describes could be much older: Wormald, *MEL*, i. 165, 383–4.

⁵ II As 2, V As 1 (Liebermann, i. 150–2, 166–8).

⁶ Af 37 (Liebermann, i. 70).

⁷ S 1081; LDB 310b (Suffolk 6:79). Ælfric was probably drawing on contemporary practice when he described how Theophilus wrote a writ to the devil and commended himself to him ('wrat his hand-gewrit þam awyrgeðan deofle and him mannrædene befæste'): *The Homilies of the Anglo-Saxon Church: the First Part, containing the Sermones Catholici or Homilies of Ælfric*, ed. B. Thorpe, 2 vols. (London, 1844–6), i. 448.

⁸ Records were kept of those who had taken the Carolingian peace oath: *Capitularia*, ed. Boretius, i. 67; F. L. Ganshof, *The Carolingians and the Frankish Monarchy. Studies in Carolingian History*, trans. J. Sonheimer (London, 1971), 114. The commendations entered in Domesday Book may well have been taken from pre-Conquest records.

⁹ Ine 39, Af 37, II Ew 7, II As 22, III As 4, IV As 4–5, V As 1, III Em 1, 3 (Liebermann, i. 106, 70, 144, 162, 166–8, 170, 172, 190). Carolingian capitularies also restricted the circumstances in which the bond between lords and vassals could be broken: *Capitularia*, ed. Boretius, i. 135, 172, 199, 215; ii. 71, 93, 210.

with the situation in contemporary Francia where 'multiple vassalage' was common.¹⁰ At death, a man owed his lord heriot (Old English, *heregeatu*, literally 'war gear'): this presumably involved returning a gift of weapons which his lord had bestowed upon him.¹¹ Men of all ranks and social status were bound by commendatory lordship: royal legislation prescribed that not even a landless man should be *hlafordleasan mannum* ('a lordless man'), and Little Domesday Book proves that even the most modest free landholders were commended to lords.¹² Men were in theory at liberty to commend themselves to whomever they wished, though in practice poverty might prevent them from doing so. A line in the *Dialogue of Solomon and Saturn* is revealing here:

Him mæg eadig eorl eaðe geceosan
on his modsefan mildne hlaford
anne æðeling. Ne mæg don unlæde swa.

[A wealthy earl may, according to his own inclination, easily choose a mild lord, perhaps a prince; the poor man has no such choice.]¹³

The nature of the relationship between a lord and his man varied considerably: commendatory lordship encompassed a wide spectrum of possible relationships, defined at one end by close-knit bonds between lords and their household retainers, and at the other by more distant affiliations, which perhaps resembled the connections between a modern member of parliament and his constituents.¹⁴ Relationships of various kinds lay between these extremes, but certain principles were universal.

The essence of the obligation of a man to his lord was loyalty and service. Legislation from Alfred's code onwards insisted that men should be loyal to their lords.¹⁵ Edgar's code, repeated by that of Cnut, asserts

¹⁰ S 1081; Clarke, *English Nobility*, 65, 84–5; Bloch, *Feudal Society*, 211–18; Ganshof, *Feudalism*, 102–3.

¹¹ *Blackwell Encyclopaedia of Anglo-Saxon England*, ed. Lapidge *et al.*, 235–6.

¹² II As 2 (Liebermann, i. 150–2); below, 216.

¹³ *The Anglo-Saxon Poetic Records: A Collective Edition, Volume VI, The Anglo-Saxon Minor Poems*, ed. E. Dobbie (London, 1942), 31–48 at lines 391–3, cited by Liebermann, ii. 507, and C. Stephenson, 'Commendation and Related Problems in Domesday Book', *EHR* 59 (1944), 289–310; repr. in his *Medieval Institutions: Selected Essays by Carl Stephenson*, ed. B. D. Lyon (Cornell, 1954; repr. 1967), 156–83, at 159.

¹⁴ For household retainers, see Whitelock, *Beginnings of English Society*, 90–1; below, 240–5. Cf. Campbell, *Anglo-Saxon State*, 18: 'commendations could reflect a system of organisation which had as much to do with something like political patronage than with landlordship'.

¹⁵ Alfred Int 49.7, Alfred 4.2, III Edmund 1, I Cnut 20 (Liebermann, i. 44–6, 50, 190, 300).

that treachery to one's lord (*hlafordsearu*) was punishable by death.¹⁶ Loyalty could be manifest in many ways. Loyal retainers were expected to risk their lives to defend their lords. There was doubtless a gap between the ideals of heroic literature and the realities of human behaviour; but it is possible to list credible contemporary narrative accounts of men defending their lords in arms, following their lords into exile, and fighting beside them in battle.¹⁷ Such mores were given legal force: Alfred's code asserts that a man could fight on his lord's behalf without incurring a vendetta; the Hundredal ordinance absolved a man from failure to attend a meeting of a hundredal court if he was answering his lord's summons; and Cnut's code asserts that if a man died fighting with his lord his heriot was to be remitted.¹⁸ But the service given by a man to his lord could also be more prosaic. It must often have involved running errands on horseback. The text known as *Gepyncðo* says that if a thegn had undertaken his lord's errands to the king on three occasions, he could represent his lord with his oath.¹⁹ Lords also demanded assistance from their men in judicial contexts. A passage in the *Libellus Æthelwoldi* says that Bishop Æthelwold gave a certain Wulfnoth forty shillings and a house worth three marks because he had worked hard on a recent lawsuit, and because he was about to cross the sea in the service of his lord.²⁰ Domesday Book contains several examples of men offering to undertake judicial ordeals for their lords.²¹

From the man's point of view, protection was the essence of commendation. Domesday Book contains many references to men calling upon their lords as *protector*, *defensor*, or *tutor*—words which presumably translate Old English *mund*, meaning 'guardian' or 'protector'.²² Lords could offer judicial protection in various ways.²³ A man's life was

¹⁶ III Edgar 7.3, II Cn 26 (Liebermann, i. 204, 328); cf. II Cn 57, 64, 77 (Liebermann, i. 348–50, 352, 364). Carolingian legislation also forbade vassals to plot against their lord: *Capitularia*, ed. Boretius, i. 124.

¹⁷ Baxter, 'Commended Men', 29–31.

¹⁸ Alfred 42.5–6, Hu 7, II Cn 78 (Liebermann, i. 76, 194, 364).

¹⁹ Liebermann, i. 456. Cf. the riding duties of the *geneat* described in *Rectitudines* (Liebermann, i. 444–5) and the Tidenham survey (RoASch, 204–7).

²⁰ *LE*, ii.25 (ed. Blake, 99, trans. Fairweather, 122).

²¹ J. D. Foy, *Domesday Book: Index of Subjects* (Chichester, 1992), 156.

²² Foy, *Index of Subjects*, 194. For an example of vernacular usage, see S 1536: Wulfric 'Spot' nominated Ealdorman Ælfhelm to be his daughter's protector (*mund*) in respect of her person and her land.

²³ For the judicial functions of pre-Conquest lordship, see S. Baxter, 'Lordship and Justice in Late Anglo-Saxon England', in *Early Medieval Studies in Memory of Patrick Wormald*, ed. S. Baxter, C. Karkov, J. Nelson and D. Pelteret (forthcoming).

protected not only by wergild but also by *manbot*, the compensation payable to the lord for the death of one of his men.²⁴ Lords were expected to provide surety for their men and to guarantee their behaviour; indeed, for this reason, one of Æthelstan's codes refers to the lordless man as one from whom no justice could be obtained.²⁵ If lords discharged such duties properly, they were entitled to a share of certain fines and forfeitures which came due from their men; but if they were incompetent or collaborated with offenders they lost this entitlement and became liable to punishment themselves.²⁶ For these reasons, significant restrictions were placed on lordseeking: innocent and trustworthy men were at liberty to choose new lords, but they were only able to do so with their lord's permission, and if they were free of all charges.²⁷ Lords also helped to protect their men's property. An early ninth-century charter refers to a noblewoman who was able to take her title deeds where she would in search of *patrocinium*.²⁸ Lords could warrant their men's tenurial rights;²⁹ or influence the course of lawsuits in their men's favour.³⁰ Lords could help their men augment their landholdings in a number of ways, including helping them to despoil property from religious houses.³¹ Lords could also reward their men by granting them land from their own resources: but here we begin to trespass into Maitland's second category, the 'tenurial bond'.

The most common tenurial bond was created when a lord leased property to his man on a temporary basis.³² Land subject to the terms of

²⁴ Ine 76; II Edm3; VIII Atr 3 (G); I Cn, 2, 5; In Cn III 55, 56.2 (Liebermann, i. 122, 142, 263, 273, 614–15). ECF 12.3 (Liebermann, i. 638) asserts that the compensation varied in accordance with the status of the lord and, as Maitland remarked (*DBB*, 70), this might explain why earls and other powerful lords attracted disproportionately large numbers of commendations. The text is late (c. 1140s), but receives some support from a Domesday entry (GDB 179b (Herefordshire A:3)). Cf. Stenton, *ASE*, 507.

²⁵ Ine 50, II As 2–3, III As 7, VI As 1.4, III Edm 7, I Atr 1, VII Atr 5, II Cn 20, II Cn 30–1, II Cn 36 (Liebermann, i. 110–12, 150–2, 170, 174, 191, 216, 262, 322–4, 330–6, 338).

²⁶ Ine 50, Hu 2, I Atr 1, II Cn 25, II Cn 30, II Cn 36 (Liebermann, i. 110–12, 192, 216, 328, 330–4).

²⁷ Ine 39, Af 37, II Edw 7, II As 22, III As 4, IV As 4–5, V As 1, III Edm 3 (Liebermann, i. 106, 70, 144, 162, 170, 176, 166–8, 190).

²⁸ S 1187.

²⁹ *LE*, ii.32 (ed. Blake, 105–7, trans. Fairweather, 128–30); R. Fleming, *Domesday Book and the Law* (Cambridge, 1998), 535.

³⁰ *HC*, 260–1. ³¹ Above, 173–4.

³² For dependent land tenure, see Freeman, *NC*, v. 778–85; Maitland, *DBB*, 71–5, 150–65, 293–318; Round, *Feudal England*, 28–35; Vinogradoff, *English Society*, 370–402; F. M. Stenton, *The First Century of English Feudalism 1066–1166* (Oxford, 1932), 114–50; B. Dodwell, 'East Anglian Commendation', *EHR* 63 (1948), 289–306;

a lease was referred to as *lenland* (loan-land), and was held for a specified period of time, often though not always for a notional 'three lives': an estate held on a three-life lease might pass from a man to his widow and to a single heir before reverting back to the original lessor. Tenants of *lenland* usually owed a combination of rent and service to the lessor. A well-known memorandum addressed by Oswald, bishop of Worcester to King Edgar describes the services expected from the tenants of a three-life lease. Such tenants were obliged to 'fulfil the whole law of riding which relates to knights' ('ut omnis equitandi lex ab eis impleatur que ad equites pertinet'); they were to render certain dues such as toll and church-scot to the church; they should remain humbly subject to the bishop's command; they should be prepared to build bridges, burn lime, make deer-hedges and provide spears for the hunt; and they should be subject to the authority and will of the *archiductor* who presides over the bishopric.³³ There is strong circumstantial evidence that military service was also a function of this type of arrangement.³⁴ Lease arrangements often proved problematic when their terms expired, for tenants were often reluctant to return *lenland* estates to their lessors.³⁵ Most of the extant material relating to pre-Conquest *lenland* pertains to religious houses, but this is almost certainly a function of documentary survival patterns, and there is every reason to suppose that lay lords also leased out property.

There were other ways in which land could be held in dependent tenure. Landholders were sometimes forced by indebtedness and other misfortunes to grant land to their lords and receive it back from them in dependent tenure.³⁶ They could pledge property to a monastery, or bequeath it to a kinsman for one or more lives with reversion to

R. Lennard, *Rural England 1086–1135* (Oxford, 1959), 105–212; E. John, *Land Tenure in Early England* (Leicester, 1960); M. Brett, 'The English Abbots, their Tenants and the King, 950–1150' in *Chiesa e Mondo Feudale nei Secoli X–XII, Miscellanea del Centro di Studi Medioevali* 14 (Milan, 1995), 277–302; J. Barrow, 'From the Lease to the Certificate: the Evolution of Episcopal Acts in England and Wales c. 700–c. 1250', in *Die Diplomatie Der Bischofsurkunde vor 1250. Referate zum VIII. Internationalen Kongress für Diplomatie*, ed. C. Haidachter and W. Köfler (Innsbruck, 1995), 529–42; Roffe, *DIB*, 28–46; Baxter, 'Archbishop Wulfstan'; J. Hudson, *The Oxford History of the Laws of England, Volume II c. 870–1220* (forthcoming), which will contain a chapter on 'Land Law in Anglo-Saxon England' (I am grateful to Professor Hudson for showing me a copy of this before publication).

³³ S 1368. I assume the Latin *equites* translates Old English *cnihtas* and have therefore translated this as 'knights'.

³⁴ R. Abels, *Lordship and Military Obligation in Anglo-Saxon England* (London, 1988), esp. 149–59; cf. R. Allen Brown, *The Origins of English Feudalism* (London, 1973), 45–71.

³⁵ Baxter, 'Archbishop Wulfstan', 175–6.

³⁶ Stenton, *ASE*, 470–502.

a monastery.³⁷ They could also promise to bequeath an estate to a lord in return for the usufruct of another estate owned by that lord.³⁸ Arrangements of this kind were common on the Continent, where they were known as *precariae remuneratoriae*.³⁹

Maitland's third species of lordship, the 'jurisdictional bond', is referred to in contemporary sources as soke (Latin *soca*, Old English *socn*). Soke is a complex phenomenon which has been the subject of much discussion.⁴⁰ Its main characteristics were these. Soke rights evolved from early royal support systems: they are a relic of an age of 'extensive lordship', when the dominant mode of surplus extraction was the collection of renders and dues from large land units, centred on royal or princely vill. Those who owed these renders 'sought' the lords of the central vill (*socn* has the primary meaning of 'seeking'); and those who owned the central vill enjoyed rights of soke over those who rendered to them. Kings gradually alienated these rights, and by the mid eleventh century it was possible for several landholders other than the king to possess soke rights: lists of those who held soke are included in the Domesday account of certain shire customs.⁴¹

By the eleventh century, soke rights had fossilized into two related forms. One of these was jurisdictional. In late Anglo-Saxon writs and charters, it was common for the king to alienate land together with 'sake

³⁷ For deferred bequests, see M. M. Sheehan, *The Will in Medieval England: From the Conversion of the Anglo-Saxons to the End of the Thirteenth Century* (Toronto, 1963), 19–106, esp. 31–8; K. Lowe, 'The Nature and Effect of the Anglo-Saxon Will', *Journal of Legal History* 19 (1998), 23–61, esp. 36–41.

³⁸ LDB 372b (Suffolk 15:3).

³⁹ Nightingale, *Monasteries and Patrons*, 6–8.

⁴⁰ See, for example, Maitland, *DBB*, 80–107, 134–40, 258–92; Stenton, *Types of Manorial Structure*; F. M. Stenton, 'Introduction', in *The Lincolnshire Domesday and the Lindsey Survey*, ed. and trans. C. W. Foster and T. Longley, Lincoln Record Society, 19 (Gainsborough, 1924), pp. ix–xlv; *Documents Illustrative of the Social and Economic History of the Danelaw*, ed. F. M. Stenton, Records of the Social and Economic History of England and Wales 5 (London, 1920); N. Hurnard, 'The Anglo-Norman Franchises', *EHR* 64 (1949), 289–322, 433–60; *The Kalender of Abbot Samson of Bury St. Edmunds and Related Documents*, ed. R. H. C. Davies, Camden Society, 3rd series 84 (London, 1954), pp. ix–xlvii; Lennard, *Rural England*, 218–29, 373–5, 380–1; C. A. Joy, 'Sokeright' (University of Leeds, Ph.D. thesis, 1972); Kapelle, *Norman Conquest of the North*, 50–85; C. Hart, 'The Sokes of the Danelaw', in his *The Danelaw* (London, 1992), 231–79; D. Roffe, 'From Thegnage to Barony: Sake and Soke, Title and Tenants-in-Chief', *ANS* 12 (1990), 157–76; Wormald, 'Lordship and Justice'; Faith, *English Peasantry and the Growth of Lordship*, 1–14, 118–19; *idem*, 'The Topography and Social Structure of a Small Soke in the Middle Ages: The Sokens, Essex', *Essex Archaeology and History* 27 (1997), 202–13; Hadley, *Northern Danelaw*, 94–164; Baxter, 'Lordship and Justice'.

⁴¹ Roffe, *DIB*, 78 n. 43.

and soke'. Maitland thought that the rights thereby conferred included the right to hold a private court over the free men or 'sokemen' of a given territory, and therefore considered that grants of sake and soke resulted in the privatization of justice. However, subsequent scholarship has shown that lords who had sake and soke enjoyed only the right to collect judicial fines—the profits of justice—from those who owed them soke; and that justice continued to be administered in royal courts.⁴² Domesday Book demonstrates that sokemen owed suit to public courts;⁴³ and that lords with sake and soke could take a share of any fines their sokemen paid, or any property they forfeited.⁴⁴

The other form of soke consisted of *consuetudines*, 'customary dues'. The nature of these varied considerably.⁴⁵ They might involve seasonal labour or 'boon-work', escort and body guard service, carrying and riding service, building labour, or the payment of occasional renders in kind. Soke could also assume the form of seigneurial monopolies such as mill-soke, the obligation to grind corn in the lord's mill, or fold-soke, the obligation to manure the lord's fields. There is some evidence that military service could be a function of soke.⁴⁶ Some of these renders, dues and services could be commuted for cash payments.⁴⁷ Given these complexities, one can sympathize with the jurors of the North Riding in Lincolnshire, who testified that Count Alan's *antecessor* had soke in Tealby Hundred, but did not know what kind.⁴⁸

Recent work has deepened our understanding of pre-Conquest lordship in various ways. Attention has been drawn to the fact that there was competition for commendatory lordship in the localities. Thus, lords were rarely able to monopolize commendations in a particular

⁴² See Maitland, Hunard, Wormald (as 210 n. 40), and Baxter, 'Lordship and Justice'.

⁴³ GDB 197b (Cambridgeshire 22:6): two sokemen each found eight pence or a horse to serve the king, and for their fines did justice ('et pro forisfactura sua faciebant rectitudines') in Fordham, a nearby royal vill.

⁴⁴ GDB 189b (Cambridgeshire 1:2): Brunmann, a sokeman, held one hide *de soca regis*. He always found cartage or eight pence in the king's service and paid amercements to the sheriff ('forisfacturas emendabat uicecomiti'). GDB 375a (Lincolnshire CS:12) suggests that if a sokeman forfeited his land, it was forfeit not to the king, but to the holder of soke.

⁴⁵ N. Neilson, *Customary Rents*, ed. P. Vinogradoff, Oxford Studies in Social and Legal History 2 (Oxford, 1910).

⁴⁶ GDB 87c (Somerset 2:1–2), 173a (Worcestershire 2:21), 368a (Lincolnshire 57:43), 208b (Huntingdonshire D:14); Stenton, *Types of Manorial Structure*, 28; Williams, *Kingship and Government*, 117–18.

⁴⁷ *Kalendar*, ed. Davis, pp. xxxii–xlvi; Joy, 'Sokeright', 63–111, 223–55.

⁴⁸ GDB 376a (Lincolnshire CN:18).

area: on the contrary, many different lords attracted commendations in each shire, and it was common for men of the same hundred or vill to be commended to different lords. It was even possible for members of the same family to be commended to different lords.⁴⁹ Some lords were more successful than others in attracting commendation; the most successful tended to be either substantial local landholders, or men of national importance.⁵⁰ Analysis of Little Domesday, which contains the most detailed account of commendation and soke, has produced a further important discovery with respect to lord-seeking: there was a pronounced tendency for men to commend themselves to lords who did not have their soke. This pattern accords well with first principles: provided they had a choice, one would expect men to commend themselves to lords who did not have a financial incentive to prosecute them.⁵¹

Figure 6.1 illustrates the structures of pre-Conquest lordship in the form of a schematic diagram. It assumes the perspective of a single

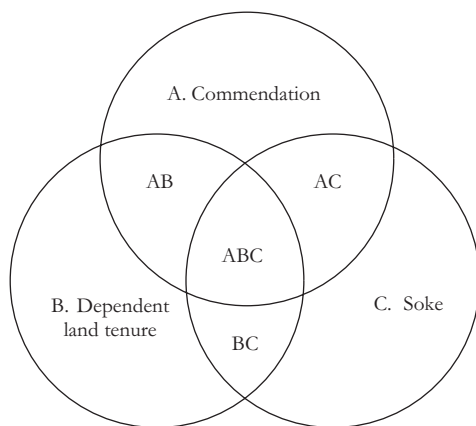


Figure 6.1. Schematic diagram of the structures of pre-Conquest lordship.

⁴⁹ Campbell, 'Late Anglo-Saxon State', 18; A. Williams, 'Little Domesday and the English: the Hundred of Colneis in Suffolk', in *Domesday Book*, ed. Hallam and Bates, 103–20.

⁵⁰ R. Abels, 'An Introduction to the Bedfordshire Domesday', in *The Bedfordshire Domesday*, ed. A. Williams and G. H. Martin (London, 1991), 1–53 at 29–40; 'An Introduction to the Hertfordshire Domesday', in *The Hertfordshire Domesday*, ed. A. Williams and G. H. Martin (London, 1991), 1–36 at 24–32; Clarke, *English Nobility*, 105.

⁵¹ Baxter, 'Lordship and Justice'; Williams, 'Little Domesday and the English', 114.

pre-Conquest landholder (X) and considers his relationship with a single pre-Conquest lord (Y). The bonds of lordship which connected X to Y could occupy any one of the seven different possibilities illustrated in the diagram. Thus, X might have been commended to Y, but have no other connection with him (the position represented by A in the diagram); X might have leased land from Y without commending himself to that lord (position B); or X might have owed soke to Y, but nothing more (position C). In many instances, however, these forms of lordship would be fused in different combinations: each area of the diagram represents a feasible relationship, and all these positions allow for the possibility that X might have another lord, in which case one needs to imagine a duplicate of the diagram to define that relationship. Alternatively, a landholder could be commended to, hold land from, and owe soke to the same lord (position ABC). Significantly, this was rare before the Conquest.

The complexity of pre-Conquest lordship was one of the most complex problems which the Domesday commissioners confronted when they set out to establish how land had been held on the day King Edward was alive and dead. It remains briefly to consider how they addressed, or failed to address, this problem. Since the publication of Round's *Feudal England* in 1895, it has been axiomatic that one must understand how Domesday Book was made in order to appreciate why it was made. Recent scholarship has developed this proposition, demonstrating that the ways in which the Domesday inquest proceeded and the book itself was written had a major impact on the information Domesday Book contains.⁵²

In order to address this problem, and to estimate the extent to which the processes by which Domesday Book was made shaped the way it represents lordship and land tenure, I have built up a database of Latin tenurial formulae (that is, the particular words used in Domesday entries to describe how land was held in 1066 (*TRE*) and in 1086 (*TRW*)). The database, which comprises a sample of 100 entries drawn from each of the thirty-four counties in Domesday Book, makes it possible to tabulate the frequency with which particular formulae occur within each county. The patterns which emerge from this analysis are interesting

⁵² The pioneering study was D. Roffe, 'Domesday Book and Northern Society: a Reassessment', *EHR* 105 (1990), 310–36. See further Roffe, *DIB*, *passim*; and F. and C. Thorn, 'The Writing of Great Domesday Book', in *Domesday Book*, ed. Hallam and Bates, 37–72.

and significant. Scribes had a tendency to copy the formulations used in the documents they were copying from, especially when writing long stretches of repetitive texts under the pressure of time. Therefore, by examining the way in which formulae cluster in Domesday Book, it is possible to infer the existence and character of some of the documents used as source material by the scribes who wrote Great and Little Domesday Book.

Three patterns stand out. First, it is possible to identify groups of counties in which identical or very similar formulae occur in similar frequencies: for example, the phrase 'X tenuit de Y' ('X held of Y') is common in Berkshire, Hampshire, Kent, Surrey, and Sussex (circuit I), but occurs very rarely elsewhere. It is known that the labour of supervising the Domesday survey was divided among groups of commissioners, assigned to groups of counties known as 'circuits'. The clusters of tenurial formulae common to particular circuits constitute evidence of the reports produced by the commissioners responsible for the survey in those circuits, which were then used by the main scribe of Great Domesday as source material (one such document, known as Exon Domesday, is extant). In other words, although the Domesday commissioners probably shared a common brief, they appear to have interpreted that brief in slightly different ways: each group of commissioners produced a written return, but the precise layout and format of those documents differed from circuit to circuit, and the formulae they deployed to describe lordship and land tenure varied. Second, significant variations could exist within each circuit. Thus a particular county (or pair of counties) might display some characteristics which were common to a circuit, and yet have formulaic idiosyncrasies of its own; and from this it can be inferred that documents may have been drawn up in shire courts during the inquest. Third, in a small number of cases, it is possible to identify formulae which are unique to the fee of a particular tenant-in-chief. This is especially interesting, since it strongly suggests that certain tenants-in-chief managed to circumvent Domesday bureaucracy to get their own account of their tenurial and seigneurial rights enshrined in the final product—with all the obvious benefits which accrued.⁵³

All this proves that the representation of lordship and land tenure in Domesday Book was significantly affected by the processes which

⁵³ Baxter, 'Representation of Lordship and Land Tenure', *passim*.

brought it into being. The implications of this are far-reaching. In order to reconstruct Domesday lordships which spanned several counties, it is necessary to proceed circuit by circuit, understanding their idiosyncrasies and decoding their particular formulations. Just as the archival context is a crucial element of the diplomatic and criticism of Anglo-Saxon charters, so the circuit context should be a central element of Domesday criticism. For present purposes, this analysis has both drawbacks and advantages: it is impossible to build up a consistent picture of the Leofwinesons' lordships, because they were scattered throughout five different circuits; however, it *is* possible to study the Leofwinesons' lordships from several different perspectives. It is therefore proposed to work through the five circuits north of the Thames in which the Leofwinesons exercised lordship, eliciting different information from each.

CIRCUIT VII (LITTLE DOMESDAY BOOK)

It is logical to begin with Little Domesday Book, which covers Norfolk, Suffolk, and Essex, for it contains more information on pre-Conquest lordship than any other circuit. The distinction between commendation and soke is drawn with particular clarity in the Norfolk and Suffolk folios.⁵⁴ Entries usually identify the lord to whom each *TRE* landholder was commended and the lord who had their soke; and they sometimes indicate whether or not that landholder had power of alienation (the power to give, grant or sell their land).

The Norfolk and Suffolk folios use the words *commendatus* and *commendatio* to describe pre-Conquest commendatory lordship (these words rarely occur in Essex). Expressions to the effect that X was the man (*homo*) of Y, or that X held *de* or *sub* Y also occur, but are less common. There are no standard formulae: X could be the *commendatus* (or indeed *commendata*) of Y,⁵⁵ he might be the *commendatus* to Y,⁵⁶ or he could be the man of Y with *commendatio*.⁵⁷ Conversely, Y could have the

⁵⁴ For the peculiarities of Essex, see Baxter, 'Representation', 76–9.

⁵⁵ LDB 283b (Suffolk 1:47): 'In Flixtuna i liber homo Hacunus commendatus Guerti t.r.e.' LDB 383a (Suffolk 21:25): 'In hassa i libera femina Listewa comendata abbati.'

⁵⁶ LDB 395a (Suffolk 25:73): 'In Toft Aluinus liber homo commendatus esgaro stalre.'

⁵⁷ LDB 154a (Norfolk 7:8): 'In Borstuna tenet Galterus quam tenuit Aculfus liber homo Edrici commendatione tantum.'

commendationem of X, and so on.⁵⁸ A man could also be half-commended to one lord and half-commended to another;⁵⁹ or he might be commended to a man who was commended to someone else.⁶⁰ This is presumably what is meant by sub-commendation.⁶¹

Since these formulae are relatively informative, it is frustrating that few of the Leofwinesons' commended men are named in Little Domesday: it names just two of Earl Ælfgar's men in Essex,⁶² two or three in Suffolk,⁶³ and one in Norfolk. The Suffolk Domesday names another seven individuals who were commended to Burgheard, presumed son of Ælfgar.⁶⁴ Little Domesday also lists seventeen unnamed landholders who were commended to Ælfgar and six commended to Ælfgifu;⁶⁵ four sokemen who 'pertained to' Ælfgifu's manor of Cornard;⁶⁶ sixty-three burgesses associated with Ælfgifu's estate of Sudbury;⁶⁷ and 163 unnamed landholders commended to Burgheard.⁶⁸ In what follows, I propose to focus on one of Earl Ælfgar's commended men in Norfolk,

⁵⁸ LDB 287a (Suffolk 1:102): 'De his hominibus qui huic manerio remansi sunt non habuit Haroldus etiam commendationem t.r.e. praeter de quatuor ... Guert frater haroldi habuit commendationem de duobus ... Omnes alii erant commendati aliis baronibus t.r.e.'

⁵⁹ LDB 376a (Suffolk 16:26): 'Blacheman dimidiis commendatus cuidam commendato Edrici antecessori Malet et dimidiis commendatus Saxo.'

⁶⁰ LDB 376a (Suffolk 16:26): 'Godricus liber homo dimidiis commendatus cuidam commendato Edrici'.

⁶¹ LDB 344a (Suffolk 7:138): 'Sternesfelam tenuit Leuric commendatus Normanno t.r.e. ... et in eadem ii liberi homines sub commendati Normanno'. For a case of half sub-commendation, LDB 296a (Suffolk 3:86): 'In Wanttesdena xvi liberi homines dimidii sub commendati antecessori malet et dimidii commendati abbati de Eli et in soca eius omnes'. Cf. Maitland, *DBB*, 74.

⁶² These were Felagi (LDB 95a (Essex 67:2), 102b (Essex 90:65)) and Wulfsgie, LDB 96b (Essex 72:1–3).

⁶³ These were Eadmær, a thegn of Earl Ælfgar (LDB 348b (Suffolk 8:33)); and Leofric, a *liber homo* of Earl Ælfgar LDB 355a (Suffolk 12:4). He may be identical with Leofric 'commendatus Algaro comiti' (LDB 395b (Suffolk 25:77)), but the name was common and their small estates lay about thirty miles apart.

⁶⁴ Gannulfr, Brunlocc, Hereward, Sperun, Vikingr, Aslacr and Seaxwine: LDB 335a (Suffolk 7:42), 371a (Suffolk 14:152), 374b (Suffolk 16:15), 376a (Suffolk 16:26), 407b (Suffolk 31:28), 408a (Suffolk 31:35); Baxter, 'The Death of Burgheard son of Ælfgar and its Context'.

⁶⁵ LDB 289b (Suffolk 1:121), 394a (Suffolk 25:58), 373b (Suffolk 16:9), 373b (Suffolk 16:10).

⁶⁶ LDB 287a (Suffolk 1:99).

⁶⁷ LDB 287a (Suffolk 1:97).

⁶⁸ LDB 285b (Suffolk 1:77), 286a (Suffolk 1:83–6), 286b (Suffolk 1:95), 301a (Suffolk 4:26–9), 301b (Suffolk 4:33–5), 302a (Suffolk 4:38–9), 322a (Suffolk 6:215), 335b (Suffolk 7:42–3), 407a–b (Suffolk 31:21–6), 407b (Suffolk 31:27–36); Baxter, 'The Death of Burgheard son of Ælfgar and its Context'.

and then to offer some wider observations, based on Little Domesday's tenurial formulae, about the nature of commendatory lordship.

Ulfkell of Framingham

A single entry in the Norfolk Domesday identifies Ulfkell of as one of Earl Ælfgar's commended men. It records that 'Ulchetel liber homo algar comitis commendatus' held one carucate in Framingham *TRE*, and continued to hold it in 1086.⁶⁹

Ulfkell is interesting, partly because he managed to attract numerous commendations even though he was only a modest landholder himself: he held at most seven small estates assessed at just three carucates and 131 acres,⁷⁰ yet about 120 *liberi homines*, who between them held more than 700 acres in twenty-five nearby vills, commended themselves to him *TRE*.⁷¹

Ulfkell is also interesting because he survived the Conquest with most of this lordship intact. In 1086, he held Framingham, together with most of the land which his commended men had held *TRE*, as a tenant of Roger Bigod. It seems unlikely that Ulfkell had dispossessed his commended men: many of them were presumably still there in 1086, holding under Ulfkell and therefore hidden one tenurial rung below Little Domesday's field of vision. Ulfkell also appears to have attracted men into his lordship after 1066. One entry records that he held thirty acres at Norton Subcourse *TRE*, and that two free men held this land 'de feudo Ulchetelli' in 1086.⁷² Another records that Ulfkell held thirty acres at Woodbastwick near Norwich in 1086, which had been held by four free men commended to Harold (probably Earl Harold) *TRE*.⁷³

Ulfkell probably prospered after the Conquest because he was a royal official. Many of the Englishmen who are known to have survived the Conquest did so because they were able to transfer the technologies of English government to its new masters.⁷⁴ It is therefore significant that Ulfkell and his men held from Roger Bigod *TRW*, for Roger was sheriff

⁶⁹ LDB 176a (Norfolk 9:33).

⁷⁰ LDB 154a (Norfolk 7:5), 174b (Norfolk 9:18), 176a (Norfolk 9:33), 182b (Norfolk 9:109), 176b (Norfolk 9:49), 228b (Norfolk 20:19). The probability that these estates were held by the same individual is high: Ulfkell is not a very common name; the estates are located fairly close to one another; and four of them passed to the same successor.

⁷¹ The number of *liberi homines* is necessarily approximate since some may be double-counted. For a map of Ulfkell's estates, see Baxter, 'Leofwinesons', 241.

⁷² LDB 182b (Norfolk 9:109).

⁷³ LDB 279a (Norfolk 66:93).

⁷⁴ Williams, *ENC*, 71–125.

of Suffolk and probably Norfolk too within the Conqueror's regime.⁷⁵ One of the entries in Roger's fee is important here:

In Mundham Ælfric, a free man under Stigand (*sub stigando*), held thirty acres of land *TRE* ... This Ælfric was outlawed and Ulfkell, the king's reeve (*praepositus regis*), seised the land into the king's hand, and Roger Bigod asked the king for it, and he granted it to him. This Count Alan claims because Earl R(alph) held it as part of Rumburgh, his manor. And the men of the Hundred heard this Ulfkell acknowledge on one occasion during the year before Ralph forfeited, and similarly after he had forfeited on one occasion, that he, Ulfkell, was doing service in Rumburgh; and finally this Hundred heard the same [Ulfkell] say that he was doing service to Roger Bigod. The men of Count Alan each year had ten shillings from it, except for the last four years, and this they are willing to prove by any means. And Ulfkell holds [it].⁷⁶

This establishes that Ulfkell of Framingham was the king's reeve; that he was in office when Ælfric of Mundham was outlawed, presumably not long after 1066; that Ulfkell remained in office in 1074, the year before Ralph rebelled; that he owed service to one of the estates held by Ralph; and that he remained a landholder in 1086.⁷⁷ Another entry records that Ulfkell 'the king's reeve' ordered a house to be removed from an estate in Forngett *TRE*: this proves that he had also been a royal official before the Conquest.⁷⁸

What sort of reeve was Ulfkell? It is unlikely that he was a sheriff, for Little Domesday identifies a certain Toli as sheriff of Norfolk *TRE*.⁷⁹ Since Ulfkell held land and exercised lordship in the Yare valley south and east of Norwich, it is possible that he held office in Norwich itself: he could have been a port-reeve.

This brings us to one further point of interest. Ulfkell seems to have acknowledged several different lords in sequence. We know that he was both the king's reeve and Earl Ælfgar's man before the Conquest. The entry for Mundham proves that Ulfkell held land from and rendered service to Earl Ralph. The same entry also suggests that Count Alan received ten shillings per annum from Ulfkell in respect of Mundham

⁷⁵ J. A. Green, *The Aristocracy of Norman England* (Oxford, 1997), 84–5; Green, *English Sheriffs*, 60, 76; LDB 179a (Norfolk 9:86), 282a (Suffolk 1:7), 284b (Suffolk 1:60), 392b (Suffolk 25:52).

⁷⁶ LDB 177a (Norfolk 9:49).

⁷⁷ For Earl Ralph's rebellion and forfeiture, see L. Marten, 'The Impact of Rebellion on Little Domesday', *ANS* 27 (2004), 132–50.

⁷⁸ LDB 280a (Norfolk 66:106).

⁷⁹ For Toli, see S 1109; and LDB 140a (Norfolk 1:229), 211b (Norfolk 14:35), 264b (Norfolk 47:4).

until 1082. Finally, it is clear that Ulfkell was Roger Bigod's man in 1086. It looks as if Ulfkell's services were valued by a series of magnates who exercised royal authority in Norwich both before and after the Conquest. He appears to have been the man of Earl Ælfgar, perhaps Earl Ralph, and certainly Earl Roger in turn. But there are further complications. Three landholdings close to Norwich held by Roger Bigod in 1086 were attributed to Ulfkell, the man of Eadric of Laxfield *TRE*;⁸⁰ and another estate at Woodbastwick (about ten miles north east of Norwich) was held by Ulfkell the man of Earl Harold *TRE*.⁸¹ Are these men identical with Ulfkell of Framingham? If so, it is possible that Ulfkell was commended to Eadric of Laxfield until he was outlawed, to Harold while he was earl of East Anglia, and then to Ælfgar when he became earl of East Anglia in 1053. It looks as if he was a serial *commendatus*.

It thus emerges that Ulfkell of Framingham held some sort of royal office, perhaps in Norwich, and this enabled him to attract far more commendations than was usual for a relatively modest landholder. In addition, his services appear to have been valued by a whole sequence of magnates responsible for royal government in Norfolk. The example helps to register the point that a commended man could be extremely influential and well-connected in particular localities. Such *commendati* could prove just as useful to the Leofwinesons as their lords were to them.

'Mere commendation'?

In *Domesday Book and Beyond*, Maitland argued that commendation was a fragile bond. His case rested on the interpretation of two kinds of Domesday formulae. In the first place, Maitland was struck by entries which he took to imply that commendation was a 'slight' bond:

In order that we may become familiar with the use made of these terms and phrases we will transcribe a few typical entries:

Two free men, of whom Ælfwin had not even the commendation.

Of these men Harold had not even the commendation.

Thus commendation seems put before us as the slightest bond that there can be between lord and man. Very often we are told that the lord had commendation and nothing more ... The thread which looks as if it would be the easiest to untie is that which is styled 'mere commendation'.⁸²

⁸⁰ LDB 154a (Norfolk 7:5), 174b (Norfolk 9:18), 260a (Norfolk 35:16).

⁸¹ LDB 228b (Norfolk 20:19).

⁸² Maitland, *DBB*, 67–9.

Second, Maitland's view of commendation was influenced by Domesday formulae which assert that commended man could withdraw, give, or sell their land, or seek lordship elsewhere:

The relation [commendation] is often put before us as temporary. Numerous are the persons who 'can seek lords where they choose' or who can 'go with their land wherever they please'. How large a liberty these phrases accord to lord and man it were hard to tell. We can not believe that either party to the contract could dissolve it just at the moment when the other had some need to enforce it; but still at other times the man might dissolve it, and we suppose that the lord could do so too.⁸³

These conclusions had far-reaching implications for Maitland's whole thesis of lordship and justice in pre-Conquest England. They led him to conclude that late Anglo-Saxon kings had not only alienated extensive judicial rights though grants of sake and soke: they had also become reliant for the administration of justice on lords who had inadequate control over their men.⁸⁴

Maitland's conclusions proved influential: many scholars have since accepted that commendatory lordship was indeed a fragile bond.⁸⁵ However, it can be shown that Maitland's analysis was based on a misreading of the formulae in question.

To demonstrate this, it is essential to begin with first principles. In 1086, the Domesday commissioners and tenants-in-chief were, like the Conqueror himself, preoccupied by the concept of the *antecessor*. Just as the Conqueror claimed to hold the kingdom as the 'legitimate', designated successor to Edward the Confessor, so every tenant-in-chief was in theory the legitimate successor to an *antecessor* (or several *antecessores*) who held on the day King Edward was alive and dead.⁸⁶ This tidy-sounding theory created considerable problems in practice because

⁸³ Maitland, *DBB*, 73.

⁸⁴ This point is developed in Baxter, 'Lordship and Justice'.

⁸⁵ Vinogradoff, *English Society*, 423: 'commendation comes in as a second and lesser degree of dependence'. Stenton, *ASE*, 491: 'For all the solemnity of the act of homage by which it was created, the bond of commendation could easily be broken. Without any breach of law or social convention, a man who had assumed the obligations implied by commendation might well be free, in the words of Domesday Book, 'to go with his land to whatever lord he would'.' Dodwell, 'East Anglian Commendation', 306: 'we may thus conclude that commendation alone was but a slender personal bond'. R. Wellدون Finn, *The Eastern Counties* (London, 1967), 132: 'commendation is a terminable association'; Roffe, *DIB*, 29, 'mere commendation was never sufficient reason for seisin in 1086'.

⁸⁶ G. Garnett, 'Coronation and Propaganda: Implications of the Norman Claim to the Throne of England in 1066', *TRHS* 5th series 36 (1986), 91–116.

the complexities of pre-Conquest lordship often made it difficult to determine the identity of *antecessores*. Should the *antecessor* be defined as the landholder himself, or one of his lords? And if the latter, then which lord conferred the strongest antecessorial claim, the lord by commendation, dependent tenure, or soke?

These complications were the root cause of numerous disputes which arose during the process of Norman colonization, and during the Domesday inquest itself. It is therefore not surprising that some of the Domesday commissioners developed formulations which enabled them to distinguish between one form of lordship and another, and thus between one form of antecessorial claim and another. It is this which explains why formulae incorporating the expression 'commendatio tantum' occur in Little Domesday Book. They were intended to convey the meaning 'commendation only': that is, 'commendatory lordship and no more', or 'commendation but no other form of lordship'. In other words, they were intended to articulate position A as distinct from AB, AC, and ABC in the schematic diagram (Figure 6.1). The same logic explains the formulae which deploy expressions such as 'non etiam commendatio'. These were used when the commissioners wished to observe that a tenant-in-chief's *antecessor* had no lordship connection at all with respect to a particular pre-Conquest landholder—not even commendation. They were also used when the commissioners wished to observe that the pre-Conquest lord had enjoyed soke rights but not commendation as well (*etiam* can mean 'also', or 'as well'). In other words, 'non etiam commendatio' formulae could be used to articulate position C or BC in the schematic diagram. It follows that 'mere commendation' is a misleading translation of these formulae.

These propositions can be tested with reference to the very entries which Maitland used to support his case. The first entry occurs in the fee of Roger Bigod in Norfolk:

In stalham i liber homo xv acras. Hoc tenet idem. In brunestada i liber homo xv acras et in horseia i liber homo xii acras. Ex his non habuit ailwinus suos antecessor etiam commendationem t.r.e. et tamen eos reuocat ad suum feudum ex dono regis quia ille ailwinus habuit commendationem ex eis t.r.w. ... Rex et comes socam.

[In Stalham [there is] 1 free man [with] 15 acres. The same [man] holds this. In Brumstead [there is] 1 free man [with] 15 acres, and in Horsey 1 free man [with] 12 acres. Of these Æthelwine, his *antecessor*, did not even have the commendation *TRE* and yet he claims them as part of his fief by the king's gift,

because the said Æthelwine had commendation of them *TRW* ... The king and the earl [had?] the soke.]⁸⁷

In this case, the commissioners established that Æthelwine was Roger's *antecessor*. However, they also learned that Æthelwine did not have any rights over the land or the landholders *TRE*—not even commendation. Roger claimed the land 'by the king's gift' on the basis that the men had commended themselves to Æthelwine at some stage during William's reign, but this was potentially at odds with the principle of the *antecessor*, which enshrined the idea that tenures should be defined with reference to the day King Edward was alive and dead. For this reason, the commissioners made a careful note of the circumstances. They had no intention of commenting on strengths or weakness of commendation: they were simply observing that Roger's claim to the land might be considered dubious, depending on whether or not the king had sanctioned it by his gift.

Maitland's next example was taken from the 'terra regis' in Suffolk. The relevant entry records that Earl Gyrth held a manor at Shotley where there were 210 sokemen *TRE*, though only 119 remained there in 1086.

De his hominibus qui huic manerio remansi sunt non habuit haroldus etiam commendationem t.r.e. praeter de quatuor, vlnod, Estmunt, Aluricus, Wistricus. Et Guert frater haroldi habuit commendationem de duobus, Man et Aluiet. Omnes alii erant commendati aliis baronibus t.r.e. De i habuit antecessor malet commendationem et Robertus filius Wimarc iiii et tamen semper haroldus habebat socam.

[Of these men who still dwell at the manor Harold did not also have commendation *TRE*, except over four; Wulfnoth, Eastmund, Ælfric, Wihtric; and Gyrth, the brother of Harold, had commendation of two: Mann and Ælfgeat. All the others were commended to other barons *TRE*. Malet's predecessor had commendation over one and Robert fitz Wymarc over four. But Harold always had the soke.]⁸⁸

In this case, the commissioners recorded that Harold had soke rights over the estate but, with four exceptions, he did not have the commendation of the sokemen as well. Perhaps the commissioners were surprised by what they were being told—that not even Harold could compel his sokemen to commend themselves to him; perhaps this is what prompted them to use this fairly unusual formulation. Either

⁸⁷ LDB 187b (Norfolk 9:183).

⁸⁸ LDB 287a (Suffolk 1:102).

way, the commissioners were surely not interested in the quality of commendation: they were simply defining the relationship between the sokemen and Harold, since this could be relevant in determining tenurial rights. What they established was that those who were commended to and owed Harold soke were in position AC in our schematic diagram, whereas those who just owed him soke were in position C.

Maitland illustrated his interpretation of formulae containing the expression 'commendatio tantum' by analysing an entry in the fee of William de Warenne in Norfolk. A free woman, Ælflæd, held one carucate in Massingham *TRE*.

De hoc habuit suus antecessor commendationem tantum et heroldus socam. Et Rainaldus filius iuonis calumpniatur ad suum feudum, et Wihewoc inde fuit saisitus et pater Rainaldi et ipse Rainaldus; et hoc testatur hundredum.

[Of this his *antecessor* had commendation only and Harold the soke, and Reginald fitz Ivo claims it for his fief, and Wihenoc was seised of it, and the father of Reginald, and Reginald himself, and to this the Hundred testifies.]⁸⁹

In this case, two tenants-in-chief—William de Warenne and Reginald fitz Ivo—were squabbling over the same land because both of their *antecessores* had been connected with it in different ways. Elsewhere we learn that Wihenoc had 'annexed' several lands after the Conquest; that he had been dispossessed himself at some stage during William's reign; and that the king had granted some of Wihenoc's estates to Reginald at some stage between then and 1086.⁹⁰ Reginald probably claimed Ælflæd's carucate at Massingham on this basis, whereas William de Warenne probably claimed it on the basis that Ælflæd had been commended to his *antecessor*, even though Earl Harold had the soke. Again, the commissioners were not interested in the nature or strength of the commendatory bond: they were simply contrasting it with soke in order to pinpoint the precise nature of William de Warenne's antecessorial claim.

Maitland's last example was an entry in the Essex 'terra regis' which used the expression 'nothing except commendation'. A sokeman held forty-nine acres in Maldon *TRE*; he had a plough, and his land was attributed a value of ten shillings a year; but by 1086, he held just half a

⁸⁹ LDB 161b (Norfolk 8:29).

⁹⁰ See LDB 230a–234b (Norfolk 21:1–37), especially 232a (Norfolk 21:13): 'a certain free man held this land, but after the king came into this land Wihenoc appropriated it, therefore Reginald holds and the king has sake and soke'.

plough from King William, and the value of his land had fallen by half. The entry explains why:

De praedicto sochemano habuit Ranulfus Piperellus consuetudinem in uno quoque anno per iii solidos, sed in tempore regis edwardi non habuit eius antecessor consuetudinem nisi tantum modo commendationem.

[From the aforesaid sokeman Ranulf Peverel had a customary due each year of three shillings, but in the time of King Edward his *antecessor* had nothing except commendation.]⁹¹

In this case, the commissioners were contrasting the way the sokeman held his land *TRE* with the way he held it *TRW*: whereas King Edward, William's *antecessor*, had nothing except commendation with respect to the sokeman in question, Ranulf Peverel had extracted a customary due of three shillings from him. One suspects that it was the sokeman himself who volunteered this information, that here we catch the distant echo of a downtrodden peasant using his moment in court to complain to the king's officers. Needless to say, the commissioners were not moved by compassion: they were presumably interested because Ranulf appears to have taken dues which might have been paid the king. Their intention was to document such possibilities, not to describe the nature of the bond between King Edward and a sokeman from Maldon.

In short, all Maitland's examples can be used to refute the very argument they were intended to sustain. Needless to say, Maitland selected only a handful of formulae from a much larger sample; but if one works through Little Domesday in search of further examples of 'commendatio tantum', 'non etiam commendatio' and other related expressions, it becomes even clearer that 'mere commendation' was not the intended meaning. There are many entries in which 'commendatio tantum' is simply contrasted with *soca*.⁹² This was perhaps because it was felt that *antecessores* who had enjoyed soke rights conferred a better claim to title in 1086 than did *antecessores* who had only the commendation of the *TRE* landholder.⁹³ Similarly, several entries contrast *antecessores* whose men had leased land from them with *antecessores* whose men had only been commended to them, presumably because the former

⁹¹ LDB 6a (Essex 1:25).

⁹² LDB 220a (Norfolk 17:53), 197b (Norfolk 10:50–2), 199a (Norfolk 10:66), 382a (Suffolk 21:9), 336a (Suffolk 7:55), 350b (Suffolk 8:49), etc.

⁹³ Roffe, *DIB*, 28–48.

bestowed a better right to title in 1086 than did the latter.⁹⁴ Finally, it should be noted that the expressions 'soca tantum', and 'soca et commendatione tantum' also occur in Little Domesday; but to talk of 'mere soke' would be as misleading as it would be to talk of 'mere commendation'.⁹⁵

Discussing the Domesday accounts of the abbot of Ely's fee, Miller wrote:

On this estate at least, such expressions as 'commendatione tantum' are exclusive rather than descriptive; they imply only that the abbot did not have the soke of such a man, as he commonly did over his commended men. But they tell us nothing about commendation, about its slightness or its character.⁹⁶

Miller is almost alone among scholars of pre-Conquest lordship to have made this crucial point in print.⁹⁷ We may now confidently remove the qualification 'on this estate at least': Miller's conclusion is universally applicable—there was no such thing as 'mere commendation'.

CIRCUIT III

More of the Leofwinesons' commended men can be identified in circuit III (which comprised Bedfordshire, Buckinghamshire, Cambridgeshire, Hertfordshire and Middlesex) than in any other circuit. The tenurial formulae in this circuit are also of special interest because they make it possible to distinguish between land which had been held in dependent tenure *TRE* and land which had not.

Formulae and identifications

Table 6.1 lists the people who were commended to members of the house of Leofwine in circuit III. As this shows, the majority of these people

⁹⁴ For example, LDB 57b (Essex 30:3): the monks of Barking Abbey complained that Geoffrey de Mandeville had acquired some of the abbey's property which had been held from the abbey by a tenant who was only the man of Geoffrey's *antecessor* ('tantum modo homo antecessoris Goisfridi').

⁹⁵ LDB 359a (Suffolk 14:24): for a free man over whom St Edmund's only had soke ('super quem socam tantum habuit'). LDB 193b (Norfolk 10:20): 'hic jacent semper viii liberi homines soca et commendatione tantum'.

⁹⁶ E. Miller, *The Abbey and Bishopric of Ely: The Social History of an Ecclesiastical Estate from the Tenth to the Early Fourteenth Century* (Cambridge, 1951), 61.

⁹⁷ But see also L. Abrams, *Anglo-Saxon Glastonbury: Church and Endowment* (Woodbridge, 1996), 266–312, for an important discussion of dependent tenures and their representation in Domesday Book.

Table 6.1. The Leofwinesons' commended men and women in circuit III

	Lord	Estates in this shire	Hides	Virgates	£	Power of alienation
<u>Bedfordshire</u>						
Auti the housecarl	Earl Ælfgar	1	6	—	8	Yes
<u>Buckinghamshire</u>						
Ealdred	Earl Morcar	1	3	—	3	Yes
Leofric	Earl Eadwine	1	5	—	3	Yes
Swein 'Swarthy'	Earl Eadwine	1	3.5	—	2	Yes
Thorbert	Earl Ælfgar	1	5	—	7	Yes
<u>Cambridgeshire</u>						
Ælfgeat <i>geast</i>	Earl Ælfgar	1	—	1	0.1	Yes
Alsige	Earl Ælfgar	1	0.5	—	—	Yes ^a
Alwig	Earl Ælfgar	1	—	0.5	—	No
Alwine and Godmann	Earl Ælfgar	1	—	3	—	Yes ^a
Anselm	Earl Ælfgar	1	1.5	—	1.5	Yes
Eastræd	Earl Ælfgar	2	1.5	—	0.75	Yes
Goda ^β	Earl Ælfgar	7	14	3	36	Yes + No
Godgifu	Earl Ælfgar	1	1	1	1.3	Yes
Leofric	Earl Ælfgar	1	2	—	—	Yes
Sigeræd	Earl Ælfgar	1	1	1	2	Yes
Thorger ^β	Earl Ælfgar	2	11	—	14	Yes + No
Wulfwine	Earl Ælfgar	1	0.5	0.5	1.5	No
30 anonymous sokemen	Earl Ælfgar	—	18	18	33	Yes
5 anonymous sokemen	Earl Ælfgar	—	3	3	4	No
27 anonymous sokemen	Earl Ælfgar	—	7	7	12	—
<u>Hertfordshire</u>						
Alweard	Earl Ælfgar	4	2.5	3	8	Yes
Eadric	Earl Ælfgar	2	3	2	5.75	Yes
13 anonymous sokemen	Earl Ælfgar	—	2.5	8	7	Yes + No

^alandholders who had power to alienate but whose soke would 'remain' with another lord.^βthe relevant entries may relate to more than one individual.

were modest landholders. They included about sixty-two anonymous sokemen who between them held twenty-eight hides: an average of less than two virgates each. Slightly above them in the social hierarchy were free peasant farmers who held a single estate assessed at half a hide or more: men such as Alwine, Godmann, and Anselm whose names are

supplied in *ICC* but omitted in Great Domesday;⁹⁸ and others such as Ealdred, Eastræd, Godgifu and Sigeræd who were named in Great Domesday itself.⁹⁹ A few individuals held estates assessed at five hides or more, which would have placed them in the thegnly class, or the lowest ranks of the English nobility: men such as Auti, Ælfgar's housecarl in Bedfordshire, Leofric of Marston and Thorbert of Turville in Buckinghamshire, and perhaps Thorger of Western Colville in Cambridgeshire.¹⁰⁰

Table 6.1 also lists some landholders of greater substance. If all the landholdings attributed to Goda were held by the same individual, as is probable, she was an unusually wealthy member of the Cambridgeshire aristocratic community.¹⁰¹ Earl Eadwine's man Swein *Swert* ('Swarthy') seems to have held land in three different shires, for he is presumably identical with Swein, the man of Earl Eadwine, who held the estate of Lamport in Buckinghamshire, and with Swein *Suart* who held two further estates in Essex and one in Suffolk. Swein's Essex estates lay at Leyton, Upminster and (probably) Aveley. It is therefore significant that a certain Ætsera *Swearte* and his wife Ælfgyð granted land at Leyton, 'land at the Lea' (probably Aveley), together with an estate and its fortified residence (*byrig*) at Wennington to Westminster Abbey between 1042 and 1044. This makes it likely that Ætsera and Swein were related: they were perhaps father and son.¹⁰²

Power of alienation and dependent land tenure

The following formulae describe the tenures of Earl Ælfgar's men in Cambridgeshire.

⁹⁸ GDB 200c (Cambridgeshire 32:8), 195c (Cambridgeshire 14:71); *ICC*, 7, 54.

⁹⁹ GDB 149d (Buckinghamshire 23:2), 198a (Cambridgeshire 26:14), 201d (Cambridgeshire 38:1), 198c (Cambridgeshire 26:31).

¹⁰⁰ GDB 213b (Bedfordshire 23:20), 148c (Buckinghamshire 17:7), 151c (Buckinghamshire 39:1), 198a (Cambridgeshire 26:6).

¹⁰¹ Goda held land in seven villis in Cambridgeshire (listed by von Feilitzen, *PPN*, 263); these were assessed at fourteen hides and three virgates and were worth £36. Several factors suggest that these estates were held by the same individual *TRE*: Goda's name is unusual; the holder of all but one of the estates was commended to Earl Ælfgar; five of the estates passed to the same successor, Earl Roger; and all but one of the estates were located in the south-west of Cambridgeshire, close to Earl Ælfgar's manor at Litlington. Goda was almost certainly female, for the entry for Wendy describes Goda as a *commendata* of Earl Ælfgar. Goda of nearby Papworth is said to have held *sub* Edith the Fair, but this does not preclude the possibility that she was the same individual: she may have been commended to Earl Ælfgar until he died in c. 1062, and to Edith the Fair after that date.

¹⁰² S 1117; GDB 147c (Buckinghamshire 14:25); LDB 78b (Essex 36:5), 91a (Essex 52:1), 84b (Essex 40:9), 445b (Suffolk 71:1).

1. 'Wluinus hanc terram tenuit sub Algaro comite, non potuit recedere nec uendere' ['Wulfwine held this land under Earl Ælfgar, [and] could not withdraw or sell'].¹⁰³
2. 'Hanc terram [tenuit] Goda de Algaro comite et uendere potuit' ['Goda [held] this land from Earl Ælfgar and could sell'].¹⁰⁴
3. 'Hanc terram tenuerunt ii sochemanni Algari comitis; potuerunt dare et uendere cui uoluerunt' ['two sokemen of Earl Ælfgar held this land; they could grant and sell to whom they would'].¹⁰⁵
4. 'Aluui homo Algari comitis [tenuit] dimidiam uirgatum non potuit foras mittere de Inchelintone' ['Alwig Earl Ælfgar's man [held] half a virgate and could not put it outside Ickleton'].¹⁰⁶
5. 'Alsi tenuit dimidiam hidam de Algaro comite; potuit dare uel uendere, soca uero comiti remanebat' ['Alsige held half a hide from Earl Ælfgar; he could give or sell, but the soke remained with the earl'].¹⁰⁷
6. Hanc terram tenuit Eduui homo abbatis de Ely potuit dare uel uendere sine licentia ejus sed socam habuit Algarus comes ['Eadwig the abbot of Ely's man held this land; he could grant and sell without his permission but Earl Ælfgar had the soke'].¹⁰⁸

These are typical of the formulae used in the Cambridgeshire Domesday.¹⁰⁹ Each formula consists of two or three clauses containing discrete parcels of information. The first clause identifies the pre-Conquest landholder and his lord: X held *de* or *sub* Y, or X was the *homo* or *sochemannus* of his lord Y. The second clause describes the landholder's freedom with respect to his land—his power of alienation: X could (or could not) grant or sell or withdraw his land, with (or without) the permission of Y. The third clause, which is used less frequently than the first two, conveys information about soke: if X were to have alienated his land, Y (or sometimes another lord, Z) would have the soke. In what follows, I shall refer to these three clauses as the 'commendation clause', the 'power of alienation clause', and the 'soke clause' respectively.

¹⁰³ GDB 190a (Cambridgeshire 1:15).

¹⁰⁴ GDB 193c (Cambridgeshire 13:7).

¹⁰⁵ GDB 198b (Cambridgeshire 26:25).

¹⁰⁶ GDB 198b (Cambridgeshire 26:23).

¹⁰⁷ GDB 198b (Cambridgeshire 26:18).

¹⁰⁸ GDB 199b (Cambridgeshire 27:1).

¹⁰⁹ Round, *Feudal England*, 21–35, remains an important treatment of these formulae.

How should these formulae be interpreted? Maitland considered that power of alienation clauses described the quality of commendation. His argument proceeded from the proposition that 'often enough land does get involved in the nexus between man and lord'.

From the man's point of view, protection, defence, warranty, is the essence of commendation, and the warranty that he chiefly needs is the warranty of his possession, of the title by which he holds his land. It can not but be therefore that the lord to whom he commends himself and his land, should be in some sort his landlord.

When a man commended himself to his lord, he submitted his land to his lord and received it back from him, for this enabled the lord to warrant for his man's tenurial rights.

Now we dare not say that a landholder can never commend himself without commending his land also. Howbeit, the usual practice certainly is that a man who submits shall take his land with him; he 'goes with his land' to a lord.¹¹⁰

This is sound reasoning. But Maitland went further, suggesting that the Domesday formulae which recorded that men could 'withdraw' with their land were in effect free to terminate the bond of commendation.

Very curious are some of the instances which show how large a liberty men enjoyed of taking land wherever they please ... The relation is put before us as temporary. Numerous are the persons who 'can seek lords where they choose' or who can 'go with their land wherever they please'. How large a liberty these phrases accord to lord and man it were hard to tell. We can not believe that either party to the contract should dissolve it just at the moment when the other had some need to enforce it; but still at other times the man might dissolve it, and we may suppose that the lord could do so too ... The bond between thegn and lord might be a mere commendation which the thegn might at any time dissolve ... The freedom that men had of forsaking one lord for another, of forsaking even the king for the ambitious earl, was a freedom akin to anarchy. Such a liberty must have its wings clipped; free contract must be taught to know its place; the lord's hold over the man's land must become permanent.¹¹¹

Taken together with Little Domesday Book's 'mere commendation', these considerations persuaded Maitland that commendation was a fragile bond.

Maitland's argument was subsequently criticized by Stevenson:

The true meaning of the passages in question is freedom of alienation, not freedom of commendation ... [commendation was] a personal tie which did

¹¹⁰ Maitland, *DBB*, 71–2.

¹¹¹ Maitland, *DBB*, 71–2, 73, 162, 171.

not affect his legal title to the land... The Domesday evidence... fails to support the belief that commendation in Saxon England was a slight and fragile bond, which could be made and unmade by a lord's men at will but which could somehow become inherent in land... The difficulties encountered by Round and others in understanding entries like this are largely removed... by distinguishing between commendation and the right of alienation.¹¹²

The matter remains controversial: certain scholars have accepted Maitland's case;¹¹³ others have preferred Stevenson's.¹¹⁴ It has also been suggested that that power of alienation formulae applied specifically to bookland,¹¹⁵ or to sokeland.¹¹⁶ In what follows, I aim to show that Stevenson was right: there is cumulatively overwhelming evidence that the function of power of alienation formulae in circuit III and elsewhere in Domesday Book was simply to contrast land which had been held in dependent tenure *TRE* with land which had not.

To begin once more with first principles: the question as to whether particular landholdings had been held in dependent tenure was acutely relevant in 1086. An *antecessor* who had held freely disposable allodial property would confer a strong claim to title in 1086. Similarly, a tenant-in-chief who could show that his *antecessor* was the lessor of disputed property would have a much stronger claim to title than one whose *antecessor* had been the lessee. For that reason, the Domesday commissioners needed to develop formulae which would enable them to differentiate between these forms of tenure. Power of alienation formulae served this purpose.

A dispute recorded in the Hampshire folios illustrates these points. In 1086, William de Chernet held five hides at Charford from Hugh de Port, which had been held by two free men from (*de*) King Edward 'in alodium' as manors *TRE*. In the same vill, Picot the sheriff of Cambridgeshire held two and a half virgates from the king, which had been held by a certain Vitalis from King Edward 'in alodium' as a manor *TRE*. The entry continues:

¹¹² Stephenson, 'Commendation and Related Problems', 162, 164, 171–2.

¹¹³ Stenton, *ASE*, 491; Dodwell, 'East Anglian Commendation', inclines towards Maitland's view.

¹¹⁴ Miller, *Abbey and Bishopric of Ely*, 36–74, and Abrams, *Anglo-Saxon Glastonbury*, 266–312.

¹¹⁵ A. Williams, 'How Land Was Held Before and After the Norman Conquest', in *Domesday Book Studies*, ed. A. Williams and R. W. H. Erskine (London, 1987), 37–8, at 38.

¹¹⁶ Below, n. 132.

Istam terram calumniatur Willelmus de chernet, dicens pertinere ad manerium de Cerdeford feudum hugonis de port per hereditatem sui antecessoris; et de hoc suum testimonium adduxit de melioribus et antiquis hominibus totius comitatus et hundredi. Et picot contraduxit suum testimonium de uillanis et uili plebe et de praepositis, qui uolunt defendere per sacramentum aut per dei iudicium quod ille qui tenuit terram liber homo fuit et potuit ire cum terra sua quo uoluit. Sed testes Willelmi nolunt accipere legem nisi regis Edwardi usque dum diffiniatur per regem.

[William de Chernet claims this land, saying that it belongs to the manor of [South] Charford, [in] Hugh de Port's fief, through the inheritance of his *antecessor*; and he has brought as his testimony to this the better men and the old men of the whole shire and hundred; and Picot has brought against it as his testimony the *villani* and common people and reeves, who are willing to maintain by oath, or by the judgement of God, that he who held the land was a free man, and could go with his land where he would. But the witnesses of William refuse to accept [any] law except that of King Edward until it be determined by the king.]¹¹⁷

This is a well-known entry, which is of interest for several reasons. It is significant here because it shows with unusual clarity how the concept of power of alienation or freedom of commendation could be deployed by disputants in 1086. William was claiming that Vitalis had held his land in dependent tenure from his *antecessor*, the lord of Charford; Picot opposed this by claiming that Vitalis had not held in dependent tenure at all—rather, he had held allodial land, and had thus been free to go where he would with his land. Picot was not interested in the quality of Vitalis's commendation; his objective was to establish that Vitalis had held allodial property, not *tenland* from the lord of Charford, since this was the basis of his own claim to title.¹¹⁸ Domesday Book records many such disputes over title, which turned on the question as to whether the *antecessor* had power of alienation.¹¹⁹

This argument can be tested in various ways. Charters and cartulary-chronicles enable us to identify numerous estates which were held in dependent tenure *c.* 1066; and in several cases, the corresponding

¹¹⁷ GDB 44d (Hampshire 23:3).

¹¹⁸ P. H. Sawyer, '1066–1086: A Tenurial Revolution', in *Domesday Book: A Reassessment*, ed. P. H. Sawyer (London, 1985), 71–85, at 82, argues that the dispute is 'a nice illustration of the conflict between two types of lordship, soke-right and commendation'. Sawyer's observation is in fact a nice illustration of the confusion which this topic tends to generate, for the two types of lordship at issue are *tenland* and commendation.

¹¹⁹ Fleming, *Domesday Book and the Law*, 521; Sawyer, '1066–1086: a Tenurial Revolution', 82. See also Freeman's notes on 'The "Antecessores" of Domesday' and 'Leases and Sales in Domesday' (Freeman, *NC*, v. 769–85).

entries in Domesday Book assert that the estates in question were held without power of alienation. Thus, the *Liber Eliensis* records that Guthmund, the brother of the Abbot Wulfric of Ely leased certain Ely estates including Nacton in Suffolk; and Little Domesday records that Guthmund held Nacton from Ely *TRE* 'in such a way that he could not sell or grant it away from the church', and on the agreement that after his death it ought to return to the church in demesne.¹²⁰ The Abingdon Chronicle records that Godric the sheriff held a three-life lease of an estate at Fyfield in Berkshire from Abingdon Abbey. The corresponding Domesday entry records that 'Godricus uiccomes tenuit de abbate et non potuit ire quolibet cum ista terra' ('Godric the sheriff held it of the abbot, and could not go where he pleased with this land').¹²¹ Similar cases abound.¹²² One could also cite several examples of late Anglo-Saxon dependent tenures known from charters and cartulary-chronicles, where the corresponding Domesday entries fail to record that a tenant lacked power of alienation.¹²³ However, this merely shows that power of alienation clauses were not consistently or universally used in Domesday entries relating to dependent tenures. The more significant point is that there are *no* late Anglo-Saxon dependent tenures known from external evidence where the corresponding Domesday entry *does* attribute power of alienation to the *TRE* tenant.

Several Domesday entries assert that particular estates had been held in dependent tenure *TRE*, and that the tenant had lacked power of alienation. The following examples speak for themselves.

1. Edric tenuit de episcopo de hereford et non potuit ab eo diuertere quia de uictu suo erat et ei prestiterat tantum in uita sua.

¹²⁰ *LE*, ii. 97 (ed. Blake, 166–7; trans. Fairweather, 198–9); LDB 406b (Suffolk 31:13a): 'istud ... manerium nactetuna tenuit Gutmundus die qua rex edwardus obiit de sancta edeldryda *ita quod non potuit uendere nec dare de ecclesia* per istam conuentionem quod post mortem suam debebat redire in ecclesia in domino et hoc testatur hundret' (my italics); cf. *IE*, 144.

¹²¹ *Chronicon Monasterii de Abingdon*, ed. J. Stevenson, Rolls Series 2, 2 vols. (London, 1858), i. 484, 491; GDB 60c (Berkshire 21:15).

¹²² For instance, compare *HC*, 264–5 and GDB 174a (Worcestershire 2:78); *Rams*, 144–5, and GDB 196a (Cambridgeshire 17:1).

¹²³ For example, according to the *LE* ii. 97 (ed. Blake, 167, trans. Fairweather, 199–200), Guthmund leased an estate at Occold from the church of Ely; the corresponding Domesday entry, LDB 410b (Suffolk 31:60), simply records that Guthmund held this estate from (*de*) his brother the abbot—in this case, there is no power of alienation clause.

[Eadric held [it] of the Bishop of Hereford and could not alienate it from him, because it was for his sustenance, and he had leased it to him only for his lifetime].¹²⁴

2. Alwuuardus tenet iii hidas quas Wluuardus albus T.R.E. ab episcopo Hermanno emit in uita sua tantum ut postea redirent ad firmam episcopi quia de dominio episcopi erant ... De terra ejusdem manerii tenet Arnulfus de Hesding iii hidas et unam virgatam de rege. Episcopus uero calumniatur eas quoniam qui tenuit T.R.E. non poterat ab episcopo separari.

[Alweard holds three hides which Wulfweard White bought from Bishop Herman *TRE*, for his lifetime only, so that they should afterwards revert to the bishop's farm, because they were [part] of the demesne of the bishop ... Of the land of the same manor Ernulf de Hesdin holds three hides and one virgate of the king. The bishop, however, claims them, since he who held them *TRE* could not be separated from the bishop.]¹²⁵

3. Hoc manerium tenuit Wluuen die qua rex Edwardus fuit uiuus et mortuus de abbate Sancti Albani. Non poterat mittere extra ecclesiam sed post mortem suam redire debebat ad ecclesiam ut hundredum testatur.

[Wulfwynn held this manor from the Abbot of St Albans on the day when King Edward was alive and dead. She could not put it outside the church, but it ought to have returned to the church after her death, as the hundred testifies.]¹²⁶

4. Hae praedictae ccc hidae fuerunt de ipso dominio ecclesiae et siquid de ipsis cuicunque homini quolibet modo attributum uel prestitum fuisset ad seruiendum inde episcopo, ille qui eam terram prestitam sibi tenebat nullam omnino consuetudinem sibimet inde retinere poterat nisi per episcopem; neque terram retinere nisi usquam ad impletum tempus quod ipsi inter se constituerant et nusquam cum ea terra se uertere poterat.

[These said 300 hides were of the demesne itself of the church, and if any portion of them was allotted or leased to any man in whatever manner, for service to be done for it to the bishop, he who held that land on lease to him could not retain for himself any customary due

¹²⁴ GDB 257b (Shropshire 4:14:12).

¹²⁵ GDB 66a (Wiltshire 3:1).

¹²⁶ GDB 139b (Hertfordshire 32:1).

from it whatsoever except by permission of the bishop, nor retain the land beyond the completion of the term agreed upon between them, nor could he betake himself anywhere with that land.]]¹²⁷

There are some entries which describe lease tenancies which say nothing about the tenant's power of alienation.¹²⁸ But again, the more significant point is that there are no entries in Domesday Book describing leases which record that the tenant did have power of alienation.¹²⁹

There are also some instructive entries in the Domesday corpus relating to landholders who *did* have power of alienation. According to *Inquisitio Eliensis*, those who held 'de soca' in King Edward's time were able to sell, but sake and soke, commendation and service always remained with Ely.¹³⁰ This expression succinctly defines position AC in the schematic diagram. The entry for Tilbrook in Bedfordshire records that twenty sokemen between them held five hides there *TRE*, and then goes on to say:

Hoc manerium idem ipsi sochemanni qui tenent tenuerunt, et ita de soca et saca regis fuerunt quod dare et uendere terram suam cui uoluissent potuerunt et recedere ad alium dominum sine licentia eius sub quo fuerunt.

[The sokemen who hold this manor [now] held it themselves [*TRE*], and they were of the king's soke and sake such that they could give and sell their land to whom they wished and withdraw to another lord without the leave of him under whom they were.]]¹³¹

Entries such as these have led certain scholars to conclude that all those who held with power of alienation held sokeland and owed soke to one or other of their lords; indeed, one scholar has argued that the very function of power of alienation clauses was to identify sokeland tenures of this kind.¹³² It is of course true that many of those who held

¹²⁷ GDB 172c (Worcestershire 2:1).

¹²⁸ GDB 31b (Surrey 4:2), 71d (Wiltshire 32:11), 72c (Wiltshire 45:2), 80d (Dorset 34:8), 83d (Dorset 55:23), 97a (Somerset 35:1), 162d (Gloucestershire 1:2), 167b (Gloucestershire 34:8), 173a (Worcestershire 2:20), 173a (Worcestershire 2:24), 173d (Worcestershire 2:67), 177d (Worcestershire 26:16), 199b (Cambridgeshire 28:2), 273b (Derbyshire 3:2), 376c (Lincolnshire CW:16); LDB 217a (Norfolk 17:18), 286a (Suffolk 1:88), 361b (Suffolk 14:49), 393a (Suffolk 25:53), 444b (Suffolk 68:5).

¹²⁹ Maitland, *DBB*, 72, was struck by GDB 72b (Wiltshire 41:4): 'Toti bought it *TRE* from the church of Malmesbury for the lifetimes of three men; within this term he could go with it to whichever lord he would.' This is indeed an unusual formulation. It is possible that the word 'not' was omitted before 'go' in error. Alternatively, it may have been intended to record that Toti leased the estate but remained free to commend himself to another lord: position B in Figure 6.1.

¹³⁰ *IE*, 121–2, 123, 124.

¹³¹ GDB 211d (Bedfordshire 17:2).

¹³² Roffe, *DIB*, 34; below, 239.

sokeland did so with power of alienation, but it does not follow that *all* those who held with power of alienation held sokeland. Some *TRE* landholders who held with power of alienation did so because the land was their own demesne;¹³³ because the land was held as an allod;¹³⁴ or because their land did not belong to another manor or to another lord.¹³⁵ One of the ways in which the Great Domesday scribe reduced the bulk of Exon Domesday, his source for circuit II, was to gloss the formula 'X poterat ire cum terra sua ad quemlibet dominum' as 'X libere tenuit'.¹³⁶ Here one recalls a passage in Hemming's *codicellus* which describes how a certain nobleman named Beorhtwine offered an estate at Hadzor to the church of Worcester at the time that his grandson, Eadwine, became a monk there. Naturally enough, Hemming wished to stress that the donor had been free to dispose of his land in this way. He did so by saying that Beorhtwine had inherited it from his parents, and therefore:

possidebat liberaliter, habens videlicet potestatem donandi sive vendendi eam cuicumque vellet, utpote paternam hereditatem, nulli inde aliquid servitium nisi regi faciens.

[held it freely, having that is the power to give or sell it to whomsoever he wished, as paternal inheritance, performing service therefrom to no-one except the king.]¹³⁷

This is a remarkably explicit definition of what it meant to hold land with freedom of alienation—much as one might expect from Hemming, a monk who was much exercised with the problem posed by the tenants of Worcester *lenland* who in theory lacked, but in practice exercised, 'potestas donandi sive vendendi'.

¹³³ GDB 32c (Surrey 8:4).

¹³⁴ GDB 44d (Hampshire 23:3), 59b (Berkshire 7:34), 59b (Berkshire 7:38). In the latter case, the monks of Abingdon were especially keen to stress that the pre-Conquest tenant had power of disposition since they were claiming that he granted it to his son, a monk of the abbey. On this topic, see Stevenson, 'Commendation', 164–5.

¹³⁵ GDB 149b (Buckinghamshire 19:1). For land which could be alienated because it did not belong to an abbey *TRE*, see GDB 58d (Berkshire 7:16), and 10b (Kent 5:149); and for land which could be alienated because it was not held from the abbot, see GDB 32c (Surrey 8:4).

¹³⁶ Compare GDB 101b (Devon 1:49) with Exon, fo. 98 (lines 6–7). Further examples are collected by Foy, *Index of Subjects*, 81 (italicized entries). For the relationship between the Great Domesday Book and Exon in general, see Thorn and Thorn, 'Writing of Great Domesday Book', esp. 56–62.

¹³⁷ *HC*, 263; cf. GDB 177a (Worcestershire 20:6).

This interpretation is to some extent compatible with earlier scholarship. Maitland was surely right to insist (and Stevenson wrong to deny) that the act of commendation could have tenurial implications. On the other hand, Maitland was wrong to insist (and Stevenson right to deny) that power of alienation clauses described the nature of commendation. The suggestion that power of alienation clauses relate to bookland tenures must be rejected. It is true that all those who held bookland estates enjoyed power of alienation with respect to those estates, and that *some* *TRE* landholders who are said to have held with power of alienation possessed bookland. However, we should leave open the possibility that many landholders who held land which had not been booked—allodial property, or folkland—did so with power of alienation. Similarly, whilst it would be wrong to deny that a large amount of sokeland was held with power of alienation, it would be equally misleading and incorrect to argue that power of alienation only applied to sokeland. Universal generalizations should not be forced out of partial truths and possibilities.

However, one generalization can be stated with confidence: power of alienation formulae used in circuit III and elsewhere in Domesday Book were never intended to describe the quality of commendatory lordship; their purpose was to distinguish between land held in dependent tenure *TRE* from land which had not. The effect of this simple refutation has a devastating impact on Maitland's understanding of pre-Conquest lordship. There is simply no evidence to support his assertion that 'the bond between thegn and lord might be a mere commendation which the thegn might at any time dissolve'.¹³⁸ Commendation was not the slightest of bonds, readily dissolved at will by either party. Rather was it a powerful bond, strengthened by keenly felt emotional ties and deeply entrenched social values, and reinforced by legal sanction.¹³⁹ As such, it was crucial among the adhesives which held the Leofwinesons' network of lordship together.

CIRCUIT IV

This section examines the tenurial formulae of circuit IV (which comprised Leicestershire, Northamptonshire, Oxfordshire, Staffordshire and

¹³⁸ Maitland, *DBB*, 162.

¹³⁹ The judicial implications of this argument are developed in Baxter, 'Lordship and Justice'.

Warwickshire), and refutes the proposition that 'X tenuit' formulae refer to pre-Conquest bookland estates. It also identifies two of Earl Leofric's most prominent retainers, considers the nature of the household in which they served, examines the relationship between the Leofwinesons and a family of Warwickshire thegns, and explores some relationships between earls and sheriffs in the west Midlands.

Formulae and identifications

For the purposes of reconstructing pre-Conquest lordships and tenures, circuit IV is one of the least informative. On average, about one third of its entries fail to supply any information at all about *TRE* tenants, and in some shires this proportion is much higher: *TRE* tenurial formulae are omitted in about two thirds of entries in the Oxfordshire Domesday. Those entries which do supply details of *TRE* tenure are generally brief and uninformative. The most common formulae are 'X tenuit', 'X libere tenuit', 'X tenuit et liber homo fuit', and 'X et Y tenuerunt'.¹⁴⁰ The formulae X 'tenuit de Y' and 'X tenuit de rege' are exceptionally rare: a sample of 500 entries from circuit IV produced only six formulae of this type.¹⁴¹ Formulae which contain power of alienation clauses are marginally more common (twenty-three out of five hundred entries). Of these, formulae with the verb *ire* are the most common, although formulae which use the verbs *discedere*, *facere*, and *vertere* also occur. Circuit IV also contains a significant number of entries which use the adjective *liber* or the adverb *libere* to describe the *TRE* tenant or his tenure (seventy-seven out of the five hundred entries sampled): these presumably relate to *TRE* tenants who held with power of alienation.¹⁴² The formulae in circuit IV also refer to soke occasionally: the formula 'X tenuit cum saca et soca' occurs fairly frequently in Leicestershire (twelve times in a sample of 100 entries from that county), and occasionally elsewhere in circuit IV.¹⁴³ In addition, a small number of entries relate to large estates which comprise a central *caput* together with several dependant villis, and some of these estates closely resemble a type of manorial structure which occurs more commonly in circuit VI, often

¹⁴⁰ Baxter, 'Representation', Table 5, lines 1, 191, 196, 203, 227–32, 267, 344–5, 419, 688–90.

¹⁴¹ Baxter, 'Representation', Table 6, lines 81–2.

¹⁴² Baxter, 'Representation', Table 6, lines 76–8.

¹⁴³ Baxter, 'Representation', Table 6, lines 86–9.

referred to by modern historians as 'sokes'.¹⁴⁴ There are also a few entries in this circuit which contain 'lawsuits' as defined by Wormald, and 'legal information' as defined by Fleming.¹⁴⁵

For these reasons, few of the Leofwinesons' men can be identified in circuit IV. Only five entries in the entire circuit relate to men who were commended to or held land from members of the house of Leofwine: 'two of Earl Ælfgar's men' held one hide in Amblecote, Staffordshire, without soke (*sine soca*);¹⁴⁶ an Oxfordshire thegn named Sægeat held land at Ledwell *TRE* which 'belonged' to Earl Eadwine's manor of Bloxham and Adderbury *TRE*; ¹⁴⁷ Eadric held five hides at Rudge (then in Staffordshire, now in Shropshire) from Earl Leofric; ¹⁴⁸ 'three of Earl Leofric's men' between them held four and a half hides at Upton in Warwickshire; ¹⁴⁹ and Beorhtwine and six of his sons held land at Alveston in Warwickshire from Earl Leofric. ¹⁵⁰

The 'X tenuit' formula

In recent publications, Dr Roffe has proposed a new way of interpreting the tenurial formulae of circuit IV.¹⁵¹ He argues that the 'X tenuit' formula in circuit IV and elsewhere in Domesday Book was used to identify individuals who had been 'king's thegns'—that is, by his definition, *landhlafordas* who held bookland with sake and soke. This argument has potentially profound implications for the study of land tenure and lordship in England before the Conquest. Can it be sustained?

Roffe's argument in *Domesday: The Inquest and the Book* can be summarized as follows. A lord who had both jurisdictional rights and the right to collect certain renders due from an estate held it with 'sake and soke'. Since lords could only obtain these privileges by virtue of a grant from the king conveyed through royal diplomas or writs, sake and soke was 'synonymous with tenure by book' (p. 33). Royal diplomas were often granted to thegns, and other contemporary material refers

¹⁴⁴ For a Leicestershire soke, see D. Roffe, 'Great Bowden and its Soke', in *Anglo-Saxon Landscapes in the East Midlands*, ed. J. Bourne (Leicester, 1996), 107–20. For an example of a multiple manor held by Earl Eadwine *TRE*: GDB 248d (Staffordshire 11:6).

¹⁴⁵ Wormald, 'Lawsuits', 65–6, 95; Fleming, *Domesday Book and the Law*, pp. xviii–xix.

¹⁴⁶ GDB 249d (Staffordshire 12:14).

¹⁴⁷ GDB 154d (Oxfordshire 1:7).

¹⁴⁸ GDB 239b (Warwickshire 12:10).

¹⁴⁹ GDB 243c (Warwickshire 29:3).

¹⁵⁰ GDB 238c (Warwickshire 3:4); below, 245.

¹⁵¹ Roffe, *DIB*, 28–46; 'Great Bowden and its Soke'.

to king's thegns who had rights of soke; thus, king's thegns were those who held bookland with sake and soke. Pre-Conquest legislation drew a distinction between commendatory lordship and lords who had rights of sake and soke: 'where *hlaford*, lord, refers to the commendation lord, *landhlaford* or *landrica*, landlord, is used of the holder of bookland' (p. 33). This distinction can also be observed in Domesday Book. In some Domesday circuits (especially circuit VI), Domesday Book explicitly identifies pre-Conquest lords who held their land with sake and soke. However, elsewhere in Domesday Book, it is possible to infer the existence of bookland tenure and soke lordship:

The record of free tenure or commendation seems directly related to sokeright... A notice of freedom to go with land and the like is a record of subordination to a booklord. Conversely, the assertion that a *TRE* tenant simply held (*tenuit*) implies that the land was unencumbered. This form is associated with all those who are named as predecessors and as holding sake and soke, and seems to be a pointer to a king's thegn (p. 34) ... Many [*TRE* tenants in circuit IV] are said to hold with sake and soke and can thus be directly identified as king's thegns. The tenure of most of the others is usually unqualified (X *tenuit*) and a similar status can be inferred (p. 211) ... It is possible to identify king's thegns ... where the unqualified *tenuit* formula is employed (p. 220).

Having defined this equation, Roffe produces a table of 'king's thegns and holders of bookland in Leicestershire in 1066 as indicated by the *tenuit* formula' (pp. 38–9).

There are two major objections to this thesis. First, although some Anglo-Saxon royal diplomas and many late Anglo-Saxon writs conferred rights of sake and soke to beneficiaries (including some thegns), this does not prove that the acquisition of bookland was the only way in which this form of lordship was acquired. As we have seen, grants of bookland were not the only source of royal patronage in late Anglo-Saxon England: the king could also grant estates to officials such as earls for the duration of their period in office without issuing a royal diploma, and it is probable that many of the manors to which soke was rendered in Domesday England were 'comital' manors of this kind.¹⁵² So lords who had sake and soke in respect of their estates did not invariably hold bookland, and the two were not 'synonymous'.

Second, there is no clear evidence that the 'X *tenuit*' formula identifies landholders who held with sake and soke. Dr Roffe's reasoning is opaque

¹⁵² Above, 141–9.

at this critical juncture. His argument seems to involve two related propositions. First, formulae with power of alienation clauses were used to describe the tenure of sokeland, land held by a tenant who owed renders and dues to his soke lord. Second, this being so, formulae which omit power of alienation clauses must refer to landholders who did not render soke to another lord because they were themselves soke lords. The first of these propositions is highly dubious, for as we have seen, there are excellent reasons for supposing that, when jurors testified that a man could go where he would with his land, they were not describing 'subordination to a booklord', but were simply distinguishing between land which was held in dependent tenure and land which was not. If so, land held with power of alienation *might* be sokeland, but it might equally be bookland or any other form of non-dependent tenure. In any case, Roffe's second proposition does not logically follow from his first. There are all kinds of reasons why a power of alienation clause might have been omitted from a particular Domesday entry: the information may not have been available in the first place; the Domesday commissioners of the circuit in question might have chosen not to record the information even if it had been available to them; one of the Domesday scribes may have decided to omit the relevant information from their text, and so on. For these reasons, it is not legitimate to conclude that all land held with power of alienation was sokeland, still less to use this as the basis for the further assumption that formulae which omit power of alienation clauses relate to land held with sake and soke.

This is not to say that Roffe's hypothesis may not work in some instances: there were doubtless some landholders whose tenures were recorded in Domesday Book using 'X tenuit' formulae who did indeed hold bookland with sake and soke. However, it is inadmissible to present this as a general rule.

Household names

A St Albans lease relating to land in Oxfordshire, which is datable 1049 × 1052 (and probably 1051–2), was witnessed by Earl Leofric together with Wulfwine the earl's reeve, Vagn, and all the earl's housecarls.¹⁵³ Wulfwine and Vagn were evidently prominent members

of Leofric's household, and they can also be identified as substantial landholders in Domesday Book.¹⁵⁴

Wulfwine the reeve was almost certainly identical with the thegn of Earl Eadwine who held land at Willingwick—a berewick associated with Eadwine's manor of Bromsgrove in north-east Worcestershire. He can also be identified as the Wulfwine who held a further five estates in Worcestershire, nine in Warwickshire, one in Northamptonshire, three in Shropshire, and one in Staffordshire.

The entry for Selly Oak describes the terms of a nuncupative will in which Wulfwine is said to have declared that he had leased four hides at Selly Oak for three lives from his son, the bishop of Lichfield.¹⁵⁵ This is a crucial detail since it establishes that Wulfwine was the father of Leofwine, the first abbot of Coventry and later bishop of Lichfield.¹⁵⁶ Halesowen in Worcestershire and Oakley in Staffordshire had both been granted by Wulfric 'Spot' to Burton Abbey, and since much of the Burton endowment was held by the Leofwinesons *TRE*, it is possible that Earl Leofric had granted these two estates to Wulfwine.¹⁵⁷ Halesowen was Wulfwine's largest estate. The Domesday entry records that it was assessed at ten hides and was 'worth' £24 *TRE*; it refers to two priests, four men styled *radman* (men who performed riding services), and appurtenant houses in Droitwich and Worcester. This was probably Wulfwine's *heafodbotl*, his 'head-dwelling'. In total, Wulfwine's estates were assessed at sixty hides and worth £63. This made Wulfwine one of the wealthiest thegns in Edward the Confessor's England.¹⁵⁸

Vagn was also a substantial west Midland landholder. He held seven estates in Warwickshire and one in Staffordshire which were together assessed at fifty-four hides and were attributed an aggregate value of £34 *TRE*. His largest estate was Tysoe in Warwickshire: this was assessed at twenty-three hides, and had an estate-church served by a priest.¹⁵⁹ However, since Vagn's name is preserved in a modern place-name, Wootton Wawen, it is almost certain that this was his principal estate, his *heafodbotl*. Like many of the estates held by the Leofwinesons *TRE*,

¹⁵⁴ Baxter, 'Commended Men', 25–9; and for a map of their estates, see Baxter, 'Leofwinesons', 272.

¹⁵⁵ GDB 177a (Worcestershire 23:1).

¹⁵⁶ On whom, see above, 155.

¹⁵⁷ S 1536; *Burton*, ed. Sawyer, pp. xxvi, xxx–xxxii; GDB 249b (Staffordshire 11:47), 176a (Worcestershire 14:1); above, 180–2.

¹⁵⁸ Wulfwine should therefore be added to the list of 'non-earlish estates valued at £40 or more' supplied by Clarke, *English Nobility*, 32–3. Clarke's list includes about sixty individuals who held estates worth £60 or more.

¹⁵⁹ GDB 242c (Warwickshire 22:4).

Wootton Wawen was an ancient estate of some importance: it was the centre of an early *regio*, and had been used by Æthelric, king of the Hwicce, to endow a minster in the eighth century.¹⁶⁰ Like many others, this minster and its property had been absorbed by secular lordship by 1066: the Domesday entry for Wootton Wawen mentions a priest and implies that the church was regarded as Vagn's property, though it subsequently became an alien priory.¹⁶¹ Part of the late Anglo-Saxon fabric of this church—the lower part of the crossing tower—remains standing.¹⁶² In addition to the lease of Great Tew, Vagn witnessed Leofric's 'foundation charter' for Coventry, and three Worcester charters which date to between 1046 and 1056.¹⁶³ There are also grounds for identifying him as the man named Vagn to whom various legendary deeds are attributed in the *Jomsviking Saga*.¹⁶⁴

These identifications demonstrate that the Leofwinesons were able to attract men from the upper ranks of the English nobility into their service. They also raise questions about the status and identity of the rest of the Leofwinesons' household retainers. Unfortunately, only a few scraps of information exist to guide us here. Auti the 'housecarle of Earl Ælfgar' ('huscarle comitis Algari') is the only other Leofwineson household retainer named in Domesday Book.¹⁶⁵ An entry in the Herefordshire folios records that the reeve of Earl Morcar's manor at Eardisland was accustomed to presenting eighteen ora to his lady ('domina sua') and ten shillings to the steward and other officers ('dapifer et alij ministri'), but none of these officials is named.¹⁶⁶ Hemming's *codicellus* describes how Earl Leofric's nephew, Æthelwine son of Godwine, died ignominiously in a cattle shed with only two *servi*

¹⁶⁰ S 94; S. Bassett, 'In search of the Origins of Anglo-Saxon Kingdoms', in *The Origins of Anglo-Saxon Kingdoms*, ed. S. Bassett (Leicester, 1989), 1–27, at 18–19; *idem*, 'The Administrative Landscape of the Diocese of Worcester in the Tenth Century', in *St Oswald of Worcester: Life and Influence*, ed. N. Brooks and C. Cubitt (London, 1996), 147–73 at 160–2, 164; P. Sims-Williams, *Religion and Literature in Western England, 600–800* (Cambridge, 1990), 149–50.

¹⁶¹ GDB 242c (Warwickshire 22:9); Blair, 'Secular Minster Churches', 133; Williams, 'Thegnly Piety', 10.

¹⁶² Taylor and Taylor, *Anglo-Saxon Architecture*, ii. 685–8; Fernie, *Architecture of the Anglo-Saxons*, 116, 178.

¹⁶³ S 1226, 1406, 1408–9.

¹⁶⁴ Baxter, 'Commended Men', 28–9.

¹⁶⁵ GDB 213b (Bedfordshire 23:20). For Domesday housecarls, see Foy, *Index of Subjects*, 85; N. Hooper, 'The Housecarls of England in the Eleventh Century', *ANS* 7 (1985), 161–76. The Ramsey Chronicle taken together with a Hertfordshire Domesday entry establishes that Saxi of Westmill, the king's housecarl, was a kinsman of Earl Leofric: *Rams*, 145–6, GDB 138b (Hertfordshire 22:2).

¹⁶⁶ GDB 179d (Herefordshire 1:6); Baxter, 'Commended Men', 32 n. 60.

to attend to his obsequies.¹⁶⁷ The *Vision of Earl Leofric* implies that he was continually surrounded by retainers and servants, but none of them is named. Leofric *discpeng* who witnessed S 1531 in close conjunction with Ælfgar son of Earl Leofric might just have been the future earl's seneschal, but the point cannot be proven.

However, some of the structure and functions of the Leofwinesons' households can be inferred by analogy. Anglo-Saxon households have been the subject of some confusion in the literature. Some scholars have doubted whether lords went into battle together with their retainers, but there is clear evidence that noblemen regularly employed household retainers, and fought with them in various contexts.¹⁶⁸ It has also been suggested that the Normans introduced the practice of assigning titles to particular officials,¹⁶⁹ but this too is erroneous. Officials with the following titles are known to have been employed in aristocratic households in late Anglo-Saxon England: *mæssepreost* (chaplain), *discðegn* (seneschal), *burhþegn* (chamberlain), *stigweard* (steward), *fetfyllere* (cup-bearer), *goldsmið* (goldsmith), *bydel* (beadle, bailiff), *sæmestre* (tailor), *medarius* (mead-wright), and *hordere* (treasurer or steward).¹⁷⁰

Aristocratic households were locations of status display and prestige. William of Malmesbury plausibly observed that Earl Godwine and Earl Harold refused to meet King Edward in London in 1051 unarmed and unaccompanied, partly because they feared for their lives, but also because if they brought few men in their train, this would be a stain on their honour.¹⁷¹ There must also have been an important convivial element in earls' households, for earls are known to have hunted,

¹⁶⁷ *HC*, 260.

¹⁶⁸ Baxter, 'Commended Men', 29–31; Campbell, 'England c. 991', 178.

¹⁶⁹ D. Crouch, *The Image of Aristocracy in Britain 1000–1300* (London, 1992), 290; *idem*, 'The Administration of the Norman Earldom', in *The Earldom of Chester and its Charters: a Tribute to Geoffrey Barraclough*, ed. A. T. Thacker, *Journal of the Chester Archaeological Society* 71 (Chester, 1991), 69–95, at 73–4.

¹⁷⁰ For chaplains, see S 1503, 1521; for seneschals, see S 1454 (Æfic 'þara æþelinga discsten'), 1503 (Ælfmar the *discþegn*), and 1531 (Leofric the *discpeng*); for chamberlains, see *Battle of Maldon*, lines 117–21, and *HC*, 269 (Azur the *camerarius*); for stewards, see S 1521 and *ICC*, 39, 43, 98 (Sigar, *dapifer* of Esger the Staller); for a cup-bearer, see S 1489; for goldsmiths, see S 1218a, *Rams*, 83–4; for the beadle who is to hold land and be free from labour so as to perform his office, see *Rectitudines* 18 (Liebermann, i. 451); for a tailor, S 1539; for the *medarius* of the abbot of Ely, see *IE*, 115; for Ordric the *hordere* of Bury St Edmund's, see *RoASch*, no. 119, and for the *celerarius* and other *praepositi* who served under Abbot Æthelwig of Evesham see *Evesham*, 166. II As 10 (Liebermann, i. 156) asserts that cattle should not be exchanged without the witness of the landlord or a reeve, priest, or *hordere*.

¹⁷¹ *WM*, *GR*, 358.

dined, and prayed with their men. The Bayeux Tapestry has a splendid image of Earl Harold and his *milites*, riding with hawks and hounds towards Harold's manor at Bosham where they worship and dine together.¹⁷² A well-known passage in the *Liber Eliensis* describes how Ealdorman Byrhtnoth stopped at Ramsey Abbey to request hospitality and provisions for himself and his men as they marched towards Maldon to fight the Vikings. Abbot Wulfsgie replied that his entourage was too large and offered hospitality to the ealdorman and just seven of his men, to which Byrhtnoth responded: 'Sciat dominus abbas, quod solus sine istis nolo prandere, quia solus sine illis nequeo pugnare' ('Let the lord Abbot know that I will not dine alone without the men you refer to, because I cannot fight alone without them').¹⁷³ The *Vision of Earl Leofric* says that although it was his custom to drink little, Leofric would be merry with his drinking companions (*gebeorum*) before praying earnestly in secret places; and elsewhere in that text we encounter Leofric's servants (*cnapan*) and companions (*geferan*).¹⁷⁴

Household retainers also served important administrative functions. They attended meetings of shire courts together with their lords;¹⁷⁵ represented their lords' interests in disputes;¹⁷⁶ and pursued criminals and escaped convicts.¹⁷⁷ Men such as Wulfwine the reeve and Vagn were presumably responsible for supervising the reeves who administered the earl's third penny and farmed their estates.¹⁷⁸ In the mid eleventh century, Queen Edith maintained a very substantial household which was partly linked with, and partly distinct from, the king's household, and which comprised, *inter alia*, a steward, butler, chamberlain, a lady of the bedchamber, priests, cooks, goldsmiths, and a large number

¹⁷² *Bayeux Tapestry*, ed. Wilson, plates 2–4.

¹⁷³ *LE*, ii.62 (ed. Blake, 134–5, trans. Fairweather, 160–3); cf. *Rams*, 116–17.

¹⁷⁴ *Vision*, lines 24, 43, 66.

¹⁷⁵ The priest, reeve and four of the better men of the vill could attend the shire or hundredal courts as substitutes for the lord or his steward when these last were absent: *Leges Henrici Primi*, ed. L. J. Downer (Oxford, 1972), 100–1.

¹⁷⁶ Above, n. 207.

¹⁷⁷ Barcwith, Tostig's Durham official, chased an escaped convict: LS 173 (*Sym*, i. 244–5). A certain Æthelsige stole swine from Æthelwine, the son of Ealdorman Æthelmær, Æthelwine and his men rode thither and brought out the bacon from the thief's house while the thief himself escaped into the woods: LS 56 (S 886).

¹⁷⁸ For estate management, see Lennard, *Rural England*, 105–75; for reeves employed by the house of Leofwine, see (e.g.) GDB 264c (Cheshire 2:21), 172b (Worcestershire 1:1a).

of reeves who managed the queen's extensive estates.¹⁷⁹ The earl of Mercia's household was probably not dissimilar in function and scale.

The family of Beorhtwine, the man of Earl Leofric

The entry for Alveston in the Warwickshire Domesday is one of the most informative in circuit IV.

Bricstunus T.R.E. tenuit in Alvestone vii hidas et dimidiam. De hac terra habuit Eldred archiepiscopus socam et sacam et tol et teim et cerset et omnes alias forisfacturas praeter illas iiii quas rex habet per totum suum regnum. Hoc testantur filii ejus Leuvinus Edmarus et alij iiii sed nesciunt de quo an de ecclesia an de Comite Leuric cui seruiebat hanc terram tenuit. Dicunt tamen quod ipsi tenuerunt eam de Leuric comite et quo uolebant cum terra poterant se uertere. Reliquas autem vii hidas et dimidiam tenuit Britnodus et Aluui T.R.E. Sed comitatus nescit de quo tenuerint. Wlstanus autem episcopus dicit se hanc terram deplacitasse coram regina Mathilde in presentia quator uicecomituum et inde habet breues regis Willelmi et testimonium comitatus Waruic.

[Beorhtwine held seven and a half hides in Alveston *TRE*. Of this land Archbishop Ealdred had soke and sake and toll and team and church-scot and all other forfeitures except those four which the king has throughout his whole kingdom. His sons Leofwine, Eadmaer, and four others testify to this, but they do not know from whom he held this land, whether from the church, or from Earl Leofric, whom he served. They say, however, that they themselves held it from Earl Leofric, and could turn where they would with the land. Beorhtnoth and Alwig held the remaining seven and a half hides *TRE*. But the shire does not know from whom they may have held. Bishop Wulfstan says that he made good his claim to this land before Queen Matilda in the presence of four shire courts, and thereof he has the writs of King William and the testimony of the shire of Warwick.]¹⁸⁰

This entry contains an unusually clear statement of the distinction between commendatory lordship, dependent land tenure, and soke. It has also been used by Ann Williams to help reconstruct a family of Warwickshire thegns who were closely connected to the Leofwinesons.¹⁸¹ Her findings are summarized in Figure 6.2. At least one, and as many as three members of this family held office as sheriff of Warwickshire. Thus, two entries in the Warwickshire Domesday describe estates held by

¹⁷⁹ Stafford, *QEQE*, 107–22, 306–18.

¹⁸⁰ GDB 238c (Warwickshire 3:4).

¹⁸¹ A. Williams, 'A Vicecomital Family in Pre-Conquest Warwickshire', *ANS* 11 (1989), 279–95.

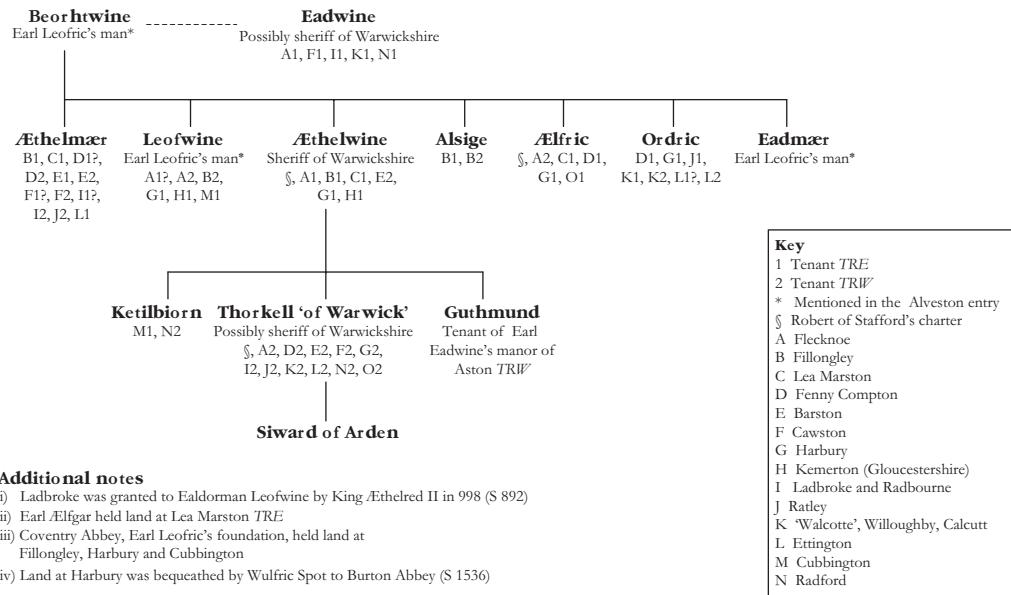


Figure 6.2. The family of Beorhtwine, the man of Earl Leofric.

Eadwine *uicecomes TRE*.¹⁸² Æthelwine is also known to have been sheriff during the early part of the Conqueror's reign, and may have held that office late in the Confessor's reign.¹⁸³ It is therefore possible that Æthelwine succeeded Eadwine in office shortly before or just after 1066.¹⁸⁴ It is not known precisely what official capacity Thorkell enjoyed within the Conqueror's regime, but he is famous for being one of the few English tenants-in-chief whose estates were of 'baronial dimensions' in 1086, and his by-name suggests that he enjoyed some sort of official capacity in Warwickshire: it is often assumed that he was sheriff of Warwickshire at some stage, though he might just have been the port-reeve of Warwick.¹⁸⁵

What was the nature of the relationship between these men and the Leofwinesons? It is not possible to prove that Eadwine, Æthelwine, and Thorkell were actually commended to any member of the house of Leofwine, but there is clear evidence that they were closely connected with it. Eadwine the sheriff was probably identical with the Eadwine who held several villis which passed to Thorkell of Warwick. Since several of these estates were located in villis where other members of Beorhtwine's family held land, it is possible that Eadwine was a member of the same family. The fact that Eadwine held land at Ladbroke *TRE* is especially interesting, since this was one of the estates which was granted by King Æthelred II to Ealdorman Leofwine in 998. Southam, the other estate acquired by Ealdorman Leofwine in 998, was later granted by Earl Leofric to Coventry Abbey. It is therefore not unreasonable to suppose that Eadwine was given his estate at Ladbroke by Leofric or one of his kinsmen.¹⁸⁶

Æthelwine the sheriff was also closely connected with the Leofwinesons. The entry for Alveston implies that at least two, and perhaps six of Beorhtwine's sons were commended to Earl Leofric; and although

¹⁸² GDB 238d (Warwickshire 4:3), 241a (Warwickshire 17:10).

¹⁸³ GDB 238d (Warwickshire 6:9), 239c (Warwickshire 14:2), 242d (Warwickshire 23:4); R. W. Eyton, 'The Staffordshire Cartulary', in *Collections for a History of Staffordshire* 2 (Birmingham, 1881), 178–276 at 178; Williams, 'Vicecomital Family', 281.

¹⁸⁴ Another possibility is that Eadwine was sheriff of Oxfordshire before 1066: Green, *English Sheriffs*, 69.

¹⁸⁵ For Thorkell, see Williams, *ENC*, 11, 98, 103–4, 208–9; Green, *English Sheriffs*, 83. Three documents establish that persons *other* than Thorkell held office as sheriff in Warwickshire during the Conqueror's reign: Bates, nos. 5, 132 (addressing Robert d'Oilly as sheriff), and no. 135 (addressing Walter, sheriff of Warwickshire).

¹⁸⁶ GDB 241a–b (Warwickshire 17:18–26); S 892; Williams, 'Vicecomital Family', 284–5.

the entry does not say so specifically, Æthelwine could have been one of them. Domesday Book also records that Æthelwine the sheriff gave land at Clifton to the church at Coventry for the sake of his soul, and as Williams observes, this could be interpreted as ‘a vassal’s donation to his lord’s foundation’.¹⁸⁷ Finally, it may be significant that a certain Thorkell was among those who submitted to the Conqueror at Barking together with Eadwine and Morcar, and that a man named Thorkell was among the *nobiliores* who were with Earl Morcar at Ely in 1071: other prominent Mercian thegns are known to have been present with Eadwine and Morcar on both occasions, so it is quite possible that these references relate to Thorkell of Warwick.¹⁸⁸

These connections raise important questions about the relationship between earls and sheriffs. As Ann Williams has observed:

We are used to thinking of the pre-Conquest sheriffs as king’s men, who ‘within the territory of even the greatest earls ... stood for the executive power of the crown’. The relationship between the earls of Mercia and the family of Æthelwine suggests that this was not the case, and that in Warwickshire, the sheriff was the earl’s man. In Worcestershire also, the pre-Conquest sheriff, Cyneward of Laugherne, belonged to the family of Archbishop Wulfstan of York, *quondam* bishop of Worcester, and he and his kindred were in the *mouvance* of the bishops of Worcester just as much as (or more than) that of the king. It would appear that powerful lords, lay or ecclesiastical, were drawing royal officers, no less than king’s thegns, into the circles of their own patronage.¹⁸⁹

There are echoes here of an earlier paper in which Williams remarked upon Earl Harold’s capacity to attract king’s thegns into his network of patronage:

It is interesting to see the number of king’s thegns who were commended to Earl Harold (or indeed to other great noblemen), for from the ranks of the king’s thegns were recruited the royal officials—sheriffs, high-reeves, military commanders and envoys—on whom the king’s government depended. They correspond, as Ganshof noticed, to the royal vassals of Carolingian Francia. It was in part the breaking of the direct relationship between the Carolingian

¹⁸⁷ GDB 238d (Warwickshire 6:9), 239c (Warwickshire 14:2); Williams, ‘Vicecomital Family’, 291.

¹⁸⁸ OV, ii. 194; *LE*, ii. 105 (ed. Blake, 179, trans. Fairweather, 211); Williams, *ENC*, 8. For what it may be worth, the *Gesta Herewardi* lists a certain *Turkillus* among Hereward’s followers: *De Gestis Herewardi Saxonis*, ed. and S. H. Miller and trans. W. D. Sweeting, *Fenland Notes and Queries* 3 (1895), 7–72 at 41.

¹⁸⁹ Williams, ‘Vice-Comital Family’, 291, citing Stenton, *ASE*, 549.

kings and vassals which consolidated the power of the counts, and led to the rise of territorial principalities in France. In the attraction of such men into the orbit of Harold and other nobles, one can see a foreshadowing of a similar process.¹⁹⁰

These are important observations, but they can be refined.

It is plain that Beorhtwine's family enjoyed a prominent role in royal administration in Warwickshire. It is also clear that the Leofwinesons maintained close links with this family: certainly through commendation and confraternity, probably through grants of land or dependent tenure arrangements, and possibly through kinship. The Leofwinesons are also known to have been closely related to or connected with sheriffs and other royal officials elsewhere. It will be recalled that Earl Leofric and his brother Eadwine were probably sheriffs during their father's lifetime or shortly after his death; that Ulfkell of Framingham was a king's reeve, probably with some kind of official responsibility in Norwich; and that the Leofwinesons were connected with sheriffs named Northman and Thuold as benefactors of Crowland, and perhaps in other ways.¹⁹¹

The question is, did such relationships represent a diminution of royal power? The independence of sheriffs is undeniably important. However, it would be wrong to suppose that sheriffs and earls were necessarily at odds, to regard the former as the king's loyal agents and the latter as enemies of state. The early English kingdom was structured in ways which gave earls a strong incentive to work alongside other royal officials. The principle implicit in the third penny was that earls and sheriffs should work closely together: the more effective their partnership was, the more revenue it was likely to generate for the benefit of all concerned. We should therefore allow for the possibility that kings may have encouraged sheriffs to cultivate close relationships with earls and vice versa; and that earls sought to attract sheriffs and other royal officials into their circle, not as a means—nor with the effect—of undermining royal authority, but rather because this enabled them to exercise authority more effectively within their earldoms. Earls and sheriffs may have been connected through lordship, but there is nothing especially remarkable about this: lordship tended to be integrated with the machinery of late Anglo-Saxon government. The relationship between Beorhtwine's family and the Leofwinesons may

¹⁹⁰ Williams, 'Land and Power', 180.

¹⁹¹ Above, 32, 33, 189 n. 153, 217–9.

have been characteristic of a wider pattern of co-operation between earls and sheriffs, which helped to ensure that English earldoms did *not* begin to resemble continental principalities.

CIRCUIT V

Formulae and identifications

The tenurial formulae in circuit V (Cheshire, Gloucestershire, Herefordshire, Shropshire and Worcestershire) are only marginally more informative than those of circuit IV. Only about five per cent of entries in circuit V supply information about lordship, and many of these entries use the slightly ambiguous formula, 'X tenuit de Y', which need not necessarily denote commendatory lordship. However, there is also a small number of less ambiguous formulae which assert that X was the thegn or housecarl of Y; these clearly relate to commendation.¹⁹²

The remaining formulae yield little about pre-Conquest lordship. About ten per cent of entries in circuit V supply no explicit information whatsoever with respect to pre-Conquest tenure,¹⁹³ and about twenty-five per cent use the simple 'X tenuit' formula without further elaboration.¹⁹⁴ About fifteen per cent of entries record that the *TRE* tenant had power of alienation, and about one per cent of entries record that the *TRE* tenant lacked power of alienation.¹⁹⁵ Power of alienation was most often expressed by describing the *TRE* tenant as *liber* (formulae of this type are particularly common in Cheshire), though power of alienation clauses with *dare*, *discedere*, *ire*, *recedere*, *uendere*, and *vertere* also occur.¹⁹⁶ Soke is scarcely mentioned: excluding the bishop of Worcester's fee, which is in many ways exceptional, there are just two references to soke and each of these occurs in passages which deal with shire customs.¹⁹⁷

¹⁹² Baxter, 'Representation', Table 6 lines 80–4.

¹⁹³ Baxter, 'Representation', Table 6 line 105: the percentage varies considerably within the circuit, from 30% in Herefordshire to 0% in Cheshire.

¹⁹⁴ Baxter, 'Representation', Table 5 lines 267, 419.

¹⁹⁵ Baxter, 'Representation', Table 6 lines 76–8.

¹⁹⁶ For expressions with *liber*, see Baxter, 'Representation', Table 5 lines 26, 211, 225, 345, 396, and 455. The most common power of alienation clauses in circuit V are those with *ire*, which occur in 15% of entries in Worcestershire (Table 5 line 356).

¹⁹⁷ GDB 179a (Herefordshire C:9), 172a (Worcestershire C:5).

Table 6.2. The Leofwinesons' commended men and women in circuit V

Commended 'men'	Lord	Shire(s)	Estates	Hides	£
Ælfweard ^β	Ælfgar	Wor	1	2	2
Alweald ^{αβ}	Eadwine	Wor	3	7	6
Alwine ^β	Eadwine	Wor	1	—	—
Beorhtred	Eadwine	Wor	1	—	—
Eadgifu ^α	Eadwine?	Wor	1	25	12
Earngeat ^β	Eadwine	Wor	1	—	—
Earngeat son of Grim ^α	Leofric	Wor	1	—	—
Frani ^β	Eadwine	Wor	2	5	—
Godric of Perry ^{αβ}	Ælfgar	Wor	5	20	16
Leofnoth ^{αβ}	Eadwine?	Wor	1	3	1
Leofric ^β	Eadwine	Wor	1	1	1.5
Ludric ^β	Ælfgar	Hef	1	5	0.75
Sigmund ^α	Leofric	Wor	2	6	6
Wulfwine	Leofric and Eadwine	War (also Wor, Nth, Shr, Stf)	20	58	63
5 thegns at Feckenham	Eadwine	Wor	1	10	—

^αThose who held land from, or claimed by, the church of Worcester.

^βThose who may have held other estates besides those accounted for in this table.

For these reasons, circuit V would not at first sight appear to be promising territory for the identification of the Leofwinesons' men. However, two remarkable documents produced by the church of Worcester—the account of the bishop of Worcester's fee in the Worcester Domesday, and Hemming's *codicellus*—combine to make it possible to identify some of their most prominent retainers.

Worcestershire thegns

This section demonstrates that many of the Leofwinesons' commended men in Worcestershire were well-connected individuals who held land from other lords. It also considers the implications of this pattern, and argues that the bond between lords and their men by commendation were not necessarily diminished by the existence of such tenures.

Domesday Book and Hemming's cartulary combine to demonstrate that Godric, Earl Ælfgar's thegn, was a member of a well-connected Worcestershire noble family. Godric held two hides at Alton in north-west Worcestershire *TRE*, and 'could go where he would' with this land. He has been plausibly identified as the son of a thegn named Æthelric, the nephew of Bishop Beorhtheah of Worcester, the brother of Cyneweard, sheriff of Worcestershire, and the great-nephew of Archbishop Wulfstan of York (see Figure 6.3).¹⁹⁸ Godric's interests and connections clearly extended well beyond the Leofwinesons' lordship: his family was powerful in its own right.

Godric's family and tenurial connections are unusually well documented, but he was certainly not the only Worcestershire thegn who was commended to a member of the house of Leofwine whilst retaining close connections with other lords. Sigmund the Dane was the man of Earl Leofric but held land from the church of Worcester.¹⁹⁹ Frani was one of five thegns who held land from Earl Eadwine's manor at Bromsgrove and, since the name is uncommon, he may be identified with Frani who held five hides at Rous Lench from the bishop of Worcester 'performing every service'.²⁰⁰ Leofnoth probably owed his tenure of Bell Hall to the Leofwinesons, even though Domesday Book describes him as King Edward's thegn.²⁰¹ Alweald the thegn of Earl Eadwine was probably identical with the tenant of Hampton Lovett and *Thickenappletree*, an estate known to have been despoiled from Worcester by Earngeat son of Grim with the help of Earl Leofric; and since the relevant estates were located close together, there is a reasonable case for identifying him with the Alweald who held the eleven hides at Elmley *de* Queen Edith *TRE*.²⁰² Alwine and Leofric, the thegns of Earl Eadwine, both had common names, and it is therefore difficult to identify

¹⁹⁸ GDB 176b (Worcestershire 15:4); Williams, 'Spoliation of Worcester', 394–8, 403; *eadem*, 'Introduction to the Worcestershire Domesday', 24–6.

¹⁹⁹ *HC*, 251, 264–5; GDB 174a (Worcestershire 2:78).

²⁰⁰ GDB 172b (Worcestershire 1:1c), 173a (Worcestershire 2:18).

²⁰¹ Above, 171–2. I have been unable to establish any connection between this Leofnoth and the thegn of that name who had a brother named Leofric, and who held numerous estates in Derbyshire, including several estates bequeathed by Wulfric 'Spot'. For this Leofnoth, see Stenton, *VCH Derbyshire*, i. 305–6; Burton, ed. Sawyer, p. xxvi; Clarke, *English Nobility*, 321–2.

²⁰² *HC*, 260–1; GDB 172b (Worcestershire 1:1c), 177d (Worcestershire 26:10), 177d (Worcestershire 27:1), 176b (Worcestershire 15:13). Elmley, Hampton Lovett and 'Thickenappletree' are located within about five miles of one another in the area to the north-west of Droitwich close to Bromsgrove.



any of them with confidence; but it remains significant that men named Alwine and Leofric held land from St Peter's Westminster *TRE*.²⁰³

That the Leofwinesons' men were prominent in Worcestershire landed society is suggested by the fact that some of them occur in the witness lists of west Midlands charters of the mid eleventh century. As we have seen, Vagn attested the Coventry foundation charter, the lease of Great Tew, and three other Worcester charters which date to the 1040s and 1050s.²⁰⁴ Æthelric *Kiu*, the father of Godric *finc*, was the beneficiary of two of Brihttheah's leases, and was a regular witness of Worcester deeds until at least 1058 when the sequence of extant charters comes to an end. Godric himself attests two of the Worcester charters, and it is perhaps he who subscribed S 1478 pertaining to the endowment of Stow St Mary. Although Godric is not recorded as a landholder in 1086, he was among those who witnessed an 'agreement' between Bishop Wulfstan and Abbot Walter of Evesham reached before the Domesday commissioners.²⁰⁵ These identifications make it tempting to speculate about others. For example, it is possible that Earngat son of Grim was identical with the Earngat whose name occurs on the witness list of S 1480, a Worcester document in 'Tiberius II' which purports to date to the early 1060s and pertains to an estate in Gloucestershire.²⁰⁶ Since Ælfgar was closely allied with the King Gruffudd ap Llywelyn, one wonders whether the Owine who witnessed four charters in conjunction with Leofric and Ælfgar was Gruffudd's son who died in 1059.²⁰⁷ Ælfweard of Longdon who subscribed S 1409 was surely identical with the *Eluardus* who held land from the Westminster's manor of Longdon in Worcestershire in 1066, and since Longdon had been held by Earl Odda during the 1050s it is probable that Ælfweard of Longdon was identical with the 'thegn of Earl Odda' who held Mathon in Herefordshire from the

²⁰³ For Alwine, thegn of Earl Eadwine, GDB 172b (Worcestershire 1:1c), 177d (Worcestershire 26:12); and for an Alwine who held land from Westminster, GDB 175a (Worcestershire 8:17–18). Leofric held one hide at Bentley Pauncefoot *de* Earl Eadwine *TRE*: GDB 177c (Worcestershire 26:4); and for a man of that name who presumably held land from Westminster, see GDB 174c (Worcestershire 8:8).

²⁰⁴ Above, 242 n. 163.

²⁰⁵ Above, Figure 6.3; *HC*, 75–6; Baxter, 'Commended Men', 38–9.

²⁰⁶ S 1480 is spurious, but some of the witnesses seem to have been taken from a genuine charter of the early 1060s.

²⁰⁷ S 1406, 1408, 1409, 1478; Maund, 'The Welsh Alliances', 187 n. 39; though admittedly this was a fairly common Welsh name.

earl.²⁰⁸ Since Odda died in 1056, it is however possible that his man switched allegiance to another Mercian earl; and for these reasons, it is tempting to speculate that Ælfweard of Longdon and Mathon may have been identical with *Ælwardus*, the 'thegn of Earl Ælfgar', who held two hides at Lindon in Worcestershire *TRE*.²⁰⁹ In this connection, it is worth recalling that Mathon had once been held by Ealdorman Leofwine.²¹⁰

Not all of these identifications are as secure as one might wish, but their cumulative effect is to establish that many of the Leofwinesons' men in Worcestershire were closely connected with other lords. What does this tell us?

The first point to make is that the Leofwinesons were not as firmly entrenched in Worcestershire as they were in other shires. Worcestershire appears to have been one of the 'debatable shires' in the Midlands which the Leofwinesons were unable to monopolize.²¹¹ In addition, the Leofwinesons' landed base in Worcestershire was relatively modest by comparison with other lords. As a result, the house of Leofwine faced considerable competition for lordship in Worcestershire. The fact that King Edward, Queen Edith, four Benedictine abbeys and two other comital houses held land there meant that Worcestershire landholders had plenty of powerful lords to choose from. In short, the Leofwinesons were not in a strong bargaining position in Worcestershire; and so may have been compelled to accept the commendations of individuals who enjoyed close connections with other patrons and lords.

This situation brings a wider problem into focus: did the fact that men could commend themselves to one lord and hold land from another create tension between these lords? To ask the same question another way: was Maitland right in thinking that this was one of the weaknesses of pre-Conquest lordship, and of the pre-Conquest polity as a whole?²¹² It would be idle to deny that the man who was commended to, and held land from, the same lord possessed a bond with a certain strength and unity of purpose; or indeed that something of this unity was lost when a man who was commended to one lord held land from

²⁰⁸ S 1409; GDB 174c (Worcestershire 8:9), 180d (Herefordshire 1:44), 184c (Herefordshire 10:39), 186c (Herefordshire 23:6); Williams, *Land, Power and Politics*, 10.

²⁰⁹ GDB 176a (Worcestershire 15:2).

²¹⁰ S 932.

²¹¹ Above, 65; below Appendix 2.

²¹² Maitland, *DBB*, 171: 'If England was not to be for ever a prey to rebellions and civil wars, the power of the lords over their men must have been — not indeed increased, but — territorialized.'

Table 6.3. Major landholders in pre-Conquest Worcestershire

Landholder	Hides
The church of Worcester ¹	398
Westminster Abbey	201
Pershire Abbey	100
Evesham Abbey	95
King Edward ²	38
Queen Edith ³	10
Earl Eadwine ⁴	47
Other Leofwinesons ⁵	15
Earl Odda ⁶	30
Earl Harold ⁷	15
Total	959

¹The figures relating Worcester, Westminster, Pershire and Evesham from Williams, 'Introduction to the Worcester Domesday', 12.

²GDB 172b (Worcestershire 1:2), 172c (Worcestershire 1:5–6).

³GDB 180c (Herefordshire 1:39).

⁴GDB 172b (Worcestershire 1:1a), 172b (Worcestershire 1:1b) (cf. 180d (Herefordshire 1:47)), 176d (Worcestershire 19:12) (cf. *HC*, 278), 177b (Worcestershire 23:10).

⁵This includes five hides at Salwarpe held by Æthelwine Cild, GDB 176a (Worcestershire 14:2); two hides at Belbroughton, held by Lady Godiva, GDB 177d (Worcestershire 26:13); and eight hides at Elmbridge held by Ealdgyth, presumably the daughter of Earl Ælfgar, GDB 176d (Worcestershire 19:13).

⁶GDB 174c (Worcestershire 8:9), 180d (Herefordshire 1:44).

⁷GDB 174b (Worcestershire 3:3).

another. Although dependent tenures were partly economic contracts, they were almost invariably something more: they created moral and social obligations manifest in the expectation and performance of service, including military service. This is bound to have created tensions which were not easily resolved. Consider the case of Sigmund the Dane, who was commended to Earl Leofric and held land from and owed military service to the bishop of Worcester. What happened when the Worcestershire contingent of the fyrd was mobilized? Did Sigmund ride with the earl or the bishop? Whatever the answer to this question was, it is unlikely that Sigmund's dilemma was unique: it is more likely to have been shared by many of his peers in Worcestershire.

On the other hand, both lords and their commended men could gain from this kind of arrangement. It enabled the men to hedge their bets, and gave them the opportunity to play one lord off against another to

their advantage: in particular, the commended man could exploit the power and influence of his lord by commendation to strengthen his hold over his leased land. Indeed, this was the root of most of Hemming's complaints against the Leofwinesons: they helped several of their men to obtain a more permanent hold on Worcester *lenland*.²¹³ The lord by commendation also had much to gain. Most obviously, he did not have to shoulder the burden of providing land for his man. But there were further, less tangible, but arguably more important benefits to be derived from the fact that, as *lenland* tenants, their men gained access to other social and political networks. The bonds between the earls and their men did not exist in a social vacuum; on the contrary, their social setting helps to explain their rationale. The earls of Mercia needed men who were well-connected in local communities in order to mediate their influence and power. A man who was unswervingly loyal to the earl of Mercia but who had no influence in his local community was of limited value to the earl: altogether more valuable were men whose *primary* loyalty lay with the earl, but who also enjoyed connections with other lords and other networks of power. For these reasons, the bond of commendation was not necessarily diminished if the man held land from another lord; in some respects, such arrangements could strengthen that bond. This was especially apparent in shires like Worcestershire, where the Leofwinesons did not enjoy a dominant tenurial or political position. Worcestershire thegns like Godric *finc* and Sigmund the Dane enabled the Leofwinesons to connect into ready-made networks of local influence.

CIRCUIT VI

This section identifies the great sokes held by the Leofwinesons in Yorkshire and the north-east Midlands, and considers the nature of the bond between the Leofwinesons and their sokemen. It also shows that Hereward, the outlaw of legend, was closely connected to the house of Leofwine.

Sokes and sokemen

The tenurial formulae of circuit VI yield little information about commendatory lordship or dependent land tenure. The most common

²¹³ Above, 168–77.

formula is 'in [place] habuit X [so many] carucatas terrae ad geldum'.²¹⁴ References to dependent tenures are rare;²¹⁵ and there are very few power of alienation clauses.²¹⁶ The *clamores* (entries recording disputed tenures which are appended to the accounts of some shires in circuit VI) contain a small quantity of additional information. For example, the Huntingdonshire *clamores* reveal the identity of one of Earl Harold's commended men,²¹⁷ and the existence of a few lease tenures which are not specifically described in the main body of the text.²¹⁸ However, these are exceptions to the rule: the commissioners of circuit VI appear to have been more interested in sokes and sokemen than *lenland* and *commendati*.

Sokes were large, sprawling estates usually made up of the following elements: an estate centre to which services and dues were rendered (Latin *manerium*); intensively exploited demesne which was either contiguous or located close to the estate centre (Old English *inland*); topographically detached parcels of demesne known as berewicks (Old English *agenland* or *berewic*, Latin *berewica*); and further, less heavily dependent tributary land known as sokeland (Old English *socn* or *socnland*, Latin *soca*). Several verbal and visual devices were employed to describe these estates. The words *manerium*, *inland*, *berewica*, and *soca* articulate the distinction between the component parts of the estates. Marginal sigla—'M' for *manerium*, 'B' for *berewica*, and 'S' for *soca*—further sharpen this distinction. Rubrication in red ink helps the eye to differentiate *maneria* from their tributary lands: the rubricator has usually picked out the place-names of *maneria* by drawing a horizontal line in red ink through place-names written in capital letters, whereas the place-names of tributary lands are entered in lower case and generally lack rubrication. Sub-titles such as 'ad hoc manerium pertinet soca harum terrarum' ('the soke of these lands pertains to this manor') or 'soca huius manerii' ('the soke of his manor') are used to link the description of *maneria* with lists of appurtenant sokeland. There are also differences in length and substance between entries relating to *maneria* and those relating to sokelands: whereas

²¹⁴ Baxter, 'Representation', Table 5 lines 894–8. In Huntingdonshire, the units of assessment were hides, not carucates; otherwise, the same formula is used.

²¹⁵ Some references to thegnland: GDB 299d (Yorkshire 1Y:15), 274d (Derbyshire 6:48), and 287b (Nottinghamshire 10:15). GDB 273b (Derbyshire 3:2) records Lady Godiva's lease of land from Abbot Leofric.

²¹⁶ GDB 277d (Derbyshire 13:2) is a rare exception.

²¹⁷ GDB 208a (Huntingdonshire D:10).

²¹⁸ GDB 208a (Huntingdonshire D:5, D:7–9), 208b (Huntingdonshire D:11), 208c (Huntingdon D:26–7).

descriptions of *maneria* are generally full and occupy several lines, descriptions of their tributary lands tend to be much briefer and convey less information. Line-spacing conventions help to define the full extent of an estate together with its tributary properties: blank spaces at least one line deep are usually left before entries relating to *maneria*, and blank lines are usually not used again until the description of the whole soke is complete. All this leaves little doubt as to the way in which the commissioners of circuit VI interpreted their brief. They clearly regarded the identification and articulation of soke structures as one of their central tasks.

The house of Leofwine held approximately thirty sokes in the shires of circuit VI. These are illustrated in Figure 6.4. These had an aggregate value of £939 and were assessed at 1,485 carucates, and thus accounted for more than a third of the estates attributed to the Leofwinesons in Domesday Book. They also represented a considerable resource in human terms. The commissioners of circuit VI did not attempt to record the population in 1066, but the total recorded population of the Leofwinesons' sokes in 1086 was 1,027 sokemen, 784 villani, and 287 bordarii. (The population would have been greater still in 1066, before the harrying of the north.)

The tenurial formulae of circuit VI make it possible to reconstruct the topography of the Leofwinesons' sokes with great precision. However, frustratingly, they reveal little about the nature of the bond between sokemen and their lords: the commissioners of circuit VI seem to have been content to establish who enjoyed sokerights in 1066, and did not seek to articulate what those rights conferred. One way around this methodological impasse is to use Domesday Book in conjunction with later evidence which bears on the structure of particular sokes.

Consider, for example, the soke of Newark in Nottinghamshire. Lady Godiva held this *TRE* and is said to have granted it to St Mary's Stow. It comprised a manor with two berewicks assessed at seven carucates and two bovates, plus sixteen sokelands assessed at six carucates and thirty-six bovates. The demesne was worked by seven ploughs, the sokeland by fifty-two. In 1086, there were ten churches and eight priests. There were also fifty-six burgesses, which indicates that Newark was already a small town in 1086. The recorded population also included 181 sokemen, forty-two villani, and eighteen bordarii. The lord of this estate enjoyed all the *consuetudines* of the king and earl from the

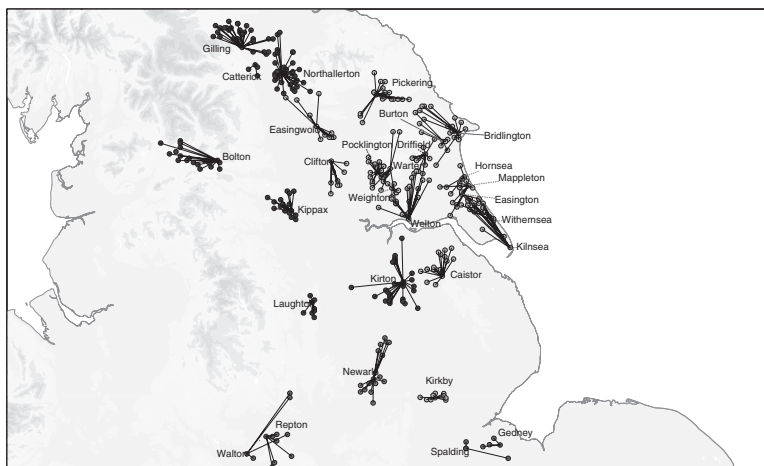


Figure 6.4. The Leofwinesons' sokes.

Note: the sokes represented here in dark grey were assigned to Earl Eadwine; those in light grey to Earl Morcar; Walton, Repton, Spalding and Gedney were assigned to Earl Ælfgar; and Newark was assigned to Lady Godiva *TRE*.

wapentake of Newark; and the whole soke was assigned a value of £50 *TRE*.²¹⁹

The Domesday entry does not describe the *consuetudines* rendered by the sokemen and customary tenants of Newark, but a survey of Newark drawn up between 1225 and 1231 does; and although this is late evidence, it is suggestive, for the customs it describes probably contain semi-fossilized elements of much earlier arrangements.²²⁰ Thus, Domesday Book records twenty-six sokemen at Balderton in 1086; the survey records twenty-three sokemen there in the early thirteenth century. Some of these men owed suit to the wapentake court fortnightly throughout the year.²²¹ They also paid fifteen pence plus half a hen per bovat per year in rent. In addition, they made stalls at Newark fair or paid a haypenny instead; gave fodder for one horse for one night once a year; carried half a cartload of firewood or paid a penny

²¹⁹ GDB 283d (Nottinghamshire 6:4); above, 182–8.

²²⁰ *Documents Relating to the Manor and Soke of Newark-on-Trent*, ed. N. W. Barley, with contributions by W. H. Stevenson and K. Cameron, Thoroton Society Record Series 16 (1956), 16–45.

²²¹ *Ibid.*, 27–8, 41–3.

and half instead; and provided seasonal labour service and boonwork (ploughing, weeding, mowing, hay-making, carrying, wheat-thrashing, and shearing) for a total of fifteen days a year.²²² It is not improbable that the sokemen of Balderton were expected to render a similar combination of jurisdictional obligations and customary services to Lady Godiva's reeves.

Hereward

It would be hard to improve on the way Freeman introduces Hereward into his narrative:

At this moment we hear for the first time of one whose mythical fame outshines all the names of his generation ... Suddenly, without preparation or introduction of any kind, we find ourselves face to face with the renowned but shadowy form of Hereward.²²³

There follows a lively rendering of Hereward's career in history and legend accompanied by a detailed appendix. Freeman's analysis was neither exhaustive nor flawless, and subsequent contributions have cast more light on Hereward's 'shadowy form'.²²⁴ All the same, a point of considerable significance has escaped attention: Hereward was almost certainly a prominent member of the Leofwinesons' affinity, and very probably one of their commended men.

Several connections between Hereward and the Leofwinesons can be established. First, Peterborough sources describe Hereward as the man of the monks of Peterborough, and Domesday Book confirms that Hereward held a small group of estates focused on Witham from

²²² Ibid., 23–4, 38–9.

²²³ Freeman, *NC*, iv. 454.

²²⁴ For Hereward, see *ASC E s.a.* 1070, *DE s.a.* 1071; *JW*, iii. 20; *OV*, ii. 256–8; *Hugh Candidus*, 77–9; *De Gestis Herewardi Saxonis*, ed. Miller, 7–72; *LE*, ed. Blake, 173–6, 179–95, 219, 291, 430; Gaimar, *Lestoire des Engleis*, ed. A. Bell, Anglo Norman Text Society (Oxford, 1960), lines 5457–710; *Liber Monasterii de Hyda*, ed. E. Edward, Rolls Series 45 (London, 1866), 295; *Ingulf*, ed. Birch, 116, 121–3. Freeman's account of Hereward is Freeman, *NC*, iv. 455–9, 484–6, 826–33. Subsequent contributions include: Round, *Feudal England*, 159–66; Blake in *LE*, pp. xxxv, lv–lvii; J. Hayward, 'Hereward the Outlaw', *Journal of Medieval History* 14 (1988), 293–304; Hart, 'Hereward'; D. Roffe, 'Hereward "the Wake" and the Barony of Bourne: A Reassessment of a Fenland Legend', *Lincolnshire History and Archaeology* 29 (1994), 7–10; Williams, *ENC*, 47–50, 182; H. M. Thomas, 'The *Gesta Herewardi*, the English and their Conquerors', *ANS* 21 (1998), 213–32; and E. M. C. van Houts, 'Hereward and Flanders', *ASE* 27 (2000), 201–23; and D. Roffe, 'Hereward', in *ODNB*.

Peterborough Abbey *TRE*.²²⁵ It was Round who first drew attention to the significance of this. According to Peterborough tradition, Hereward and a group of English rebels joined forces with a Danish contingent led by Earl Osbeorn, and on 2 June 1070 these men sacked the monastery at Peterborough, despoiling it of its richest treasures. Hugh Candidus says that the rebels claimed to have done this ‘out of loyalty to the church’, with the aim of preventing the newly appointed Norman Abbot Turolf and his knights from enjoying the treasure. Round observed that the Domesday evidence adds substance to this account, and suggested that Hereward ‘may really have been loyal to the Abbey whose “man” he was’.

His plea for bringing the Danes to Peterborough was that he honestly believed that they would overthrow the Normans, and that the treasures of the church would, therefore, be safer in their hands. He may perfectly well have been hostile to the Normans, and yet faithful to the Abbey so long as Brand held it; but the news that Turolf and his knights were coming to make the Abbey a centre of Norman rule against him would drive him to extreme courses.²²⁶

This is reasonable deduction, but there is a twist that Round missed. If Hereward held land from Peterborough abbey *TRE*, he was a dependant of Abbot Leofric, who died shortly after Hastings in 1066; and since Abbot Leofric was the cousin of Earl Leofric, he thus formed part of the Leofwinesons’ wider affinity.

A second connection between Hereward and the house of Leofwine is that Hereward also held land from Crowland Abbey—another of the monasteries closely connected to that house. This is established by a pair of entries in the Lincolnshire Domesday. One of these simply records that the monks of St Guthlac’s Crowland held three carucates at Rippingale for the monks’ supplies *TRE*, and that this land passed to Ogier the Breton *TRW*; Hereward is not mentioned here.²²⁷ The other entry reads as follows:

²²⁵ An early twelfth-century interpolation to the Peterborough chronicle records that ‘the monks of Peterborough heard it said that their own men (‘heora agene menn’) meant to plunder the monastery—that was Hereward and his following (‘his genge’): *ASC E s.a.* 1070; *MS E*, ed. Irvine, 88. *Hugh Candidus*, 79, asserts ‘Hereuardus homo monachorum erat’. Domesday Book records that Hereward held a single estate from Peterborough which comprised holdings in Witham, Manthorpe, Toft, and Lound, together with berewicks at Barholm and Stowe: GDB 346b (Lincolnshire 8:34–8), with 376d (Lincolnshire CK:4).

²²⁶ Round, *Feudal England*, 163.

²²⁷ GDB 364c (Lincolnshire 42:13).

Terram Sancti Guthlaci quam tenet Ogerus in Repinghale dicunt fuisse dominicam firmam monachorum et Vlchel abbatem commendasse eam ad firmam hereuuardo sicut inter eos conueniret unoquoque anno sed abbas resaisiuit eam antequam hereuuardus de patria fugeret eo quod conuentionem non tenuisset.

[They [the men of wapentake] say that St Guthlac's land, which Ogier holds in Rippingale, was the monk's demesne farm, and that Abbot Ulfkell granted it to Hereward at farm, as might be agreed between them each year, but the abbot took possession of it again before Hereward fled the country, because he had not kept the agreement.]²²⁸

The fact that the terms of Hereward's lease were renegotiated on an annual basis is worth noting in passing. However, the more immediately relevant point is that the man who held Rippingale from Crowland can be identified with the man who held Witham from Peterborough: Hereward is an unusual name; Rippingale and Witham are just a few miles apart in south Lincolnshire; and the fact that Hereward is said to have fled makes it as good as certain that he was identical with the outlaw. The fact that Hereward held land from Crowland establishes a further connection with the house of Leofwine, for it will be recalled that Earl Ælfgar was a benefactor of Crowland, and that Crowland was one of the abbacies held by Abbot Leofric in plurality.²²⁹

A third connection is that all of Hereward's Lincolnshire estates were located in close proximity to estates held by Earl Morcar, and this raises the possibility that Hereward held some of his land in dependent tenure from him.²³⁰ Domesday Book records that Hereward and a certain Toli held a manor at Laughton with berewicks in Aslackby, Avethorpe, Ringstone and Rippingale *TRE*; this land was held by Ogier the Breton in 1086.²³¹ Laughton was about two or three miles west of Earl Morcar's manor at Sempringham, Rippingale was about four miles south of Sempringham, and both Rippingale and Witham were about five miles away from Earl Morcar's manor of Bourne (which also passed to Ogier the Breton *TRW*). Hereward's tenure of land close to Bourne is especially significant since the *Gesta Herewardi* makes the manor of Bourne Hereward's patrimony. After various adventures, Hereward returned 'ad sui patris mansionem quandam quae vocatur Brunne' ('to his father's manor called Bourne') to discover that his brother had been murdered by Frenchmen who then occupied the

²²⁸ GDB 377b (Lincolnshire CK:48).

²²⁹ Above, 190–5.

²³⁰ For a map, see Baxter, 'Leofwinesons', 301.

²³¹ GDB 364c (Lincolnshire 42:9–12).

estate: it is this which provoked Hereward's rebellion.²³² Here the *Gesta* and Domesday Book appear to contradict one another, the former assigning Bourne to Hereward, the latter assigning it to Earl Morcar; but before rejecting the *Gesta* evidence, it is worth recalling that the tenorial formulae of the Lincolnshire Domesday are generally silent on the matter of dependent land tenure: we only know that Hereward held land from Crowland and Peterborough because two *clamores* entries supply additional information to that effect. In other words, the Domesday evidence does not preclude the possibility that Hereward held Bourne (or indeed Laughton) in dependent tenure from Earl Morcar. Here it is relevant that Laughton, Rippingale, and Bourne all passed to the same successor, Ogier the Breton. Perhaps Ogier had some reason to claim Hereward as his *antecessor* in each of these places?²³³

The possibility that Hereward held land in dependent tenure from Earl Morcar is strengthened by a fourth connection between Hereward and the house of Leofwine: a man named Hereward held land in Warwickshire which had once been granted to Ealdorman Leofwine. The estates assigned to Hereward in the west Midlands are set out in Table 6.4. Freeman thought that the Hereward of Lincolnshire and his namesake in the west Midlands were probably identical.²³⁴ Predictably, Round took the opposite view, asserting that 'there is absolutely nothing to connect the Count of Meulan's [i.e. Robert de Beaumont's] tenant with the Lincolnshire hero'.²³⁵ But Round missed one very striking connection. In 998, King Æthelred II granted land at Southam, Ladbroke, and Radbourne in Warwickshire to Ealdorman Leofwine.²³⁶ The fact that Earl Leofric later granted Southam to Coventry Abbey (whose archive preserved the charter) demonstrates that Leofric inherited this land from his father. It follows that the men who held Ladbroke and Radbourne *TRE* are likely to have done so

²³² *Gesta Herewardi*, ed. Miller, 32–3.

²³³ Roffe, 'Hereward', also argues that the *Gesta* and Domesday evidence are not irreconcilable, and that Hereward might have held Bourne at some stage in his career. However, Dr Roffe's reasons for doing so are rather different: he makes Hereward a 'king's thegn' who held with sake and soke, a form of tenure which (he argues) informed antecessorial grants during the Conqueror's reign; Ogier the Breton thus acquired Hereward's soke lordship which might have once included Bourne. For the reasons listed above, 238–40, I do not find this argument persuasive.

²³⁴ Freeman, *NC*, iv. 485; but cf. iv. 826.

²³⁵ Round, *Feudal England*, 162. See also Roffe, 'Hereward', 1: 'there is no reason to believe that the Hereward who held lands in Warwickshire and Worcestershire in 1066 and 1086 was the same man'.

²³⁶ S 892; above, 146.

Table 6.4. Estates attributed to Hereward in the west Midlands

Domesday reference	Estate	<i>TRE</i> holder	<i>TRW</i> holder (mesne tenant)
Warwickshire 16:26	Weddington	Hereward	Robert de Beaumont (Hereward)
Warwickshire 16:46	Marston (Jabbett)	Hereward	Robert de Beaumont (Hereward)
Warwickshire 16:48	Barnacle	Hereward	Robert de Beaumont (Hereward)
Warwickshire 17:33	Ladbroke	Hereward	Thorkell of Warwick (Gilbert)
Worcestershire 2:43	Evenlode	Hereward	? Evesham Abbey (? Hereward)

because they had been granted those estates by Leofric or a member of his family; and as the table shows, Ladbroke was held by a certain Hereward *TRE*.

One further piece of evidence links the Warwickshire Hereward with the house of Leofwine. Domesday Book records that he held land at Evenlode from Evesham Abbey; and this is relevant because the Leofwinesons were benefactors of Evesham.²³⁷ A possible objection to this identification is that the west Midland Hereward survived to be a mesne tenant in 1086 whereas the Lincolnshire Hereward apparently did not. However, there is nothing to prove that the historical Hereward did not eventually come to terms with the Normans; indeed, some of the legendary accounts of Hereward's exploits make him do precisely that.²³⁸

To summarize: men named Hereward held land from three monasteries which were either patronized by or closely connected with the Leofwinesons; a man named Hereward held land in very close proximity to estates held by Earl Morcar in Lincolnshire and was later thought to have held one of Morcar's estates; and a man named Hereward held land in the west Midlands which is known to have been held by Ealdorman Leofwine at an earlier date. This does not quite prove that the Hereward of Lincolnshire and the Hereward of the west Midlands were the same individual, or that either was commended to the earls of Mercia, but it comes very close: the balance of probability is that

²³⁷ GDB 173b (Worcestershire 2:43) records that Hereward held (*tenuit*) Evenlode; and the following entry says that Evesham Abbey held (*tenuit*) Daylesford and Evenlode from (*de*) the church of Worcester. These two estates are the subject a long and complex dispute between Evesham and Worcester. In the present context, it may be significant that the Evesham archive preserves a charter which purports to be a restitution of land at Daylesford by Earl Ælfgar in favour of Evesham: S 1238.

²³⁸ Hayward, 'Hereward the Outlaw', 361; Gaimar, *Lestoire des Engleis*, lines 5605–14; *Gesta Herewardi*, ed. Miller, 71–2.

there was only one Hereweard, who was closely connected with the Leofwinesons.

All this deepens the significance of the fact that Hereweard was with Earl Morcar at Ely before he was captured and imprisoned. If indeed Hereweard was Morcar's man, the bonds of mutual allegiance and dependence would have been ruptured at the point when Morcar surrendered to King William, abandoning Hereweard and his men to their own resources. It is therefore telling that Hereweard's heroics began at precisely that moment. According to MS D of the Chronicle:

Hi ealle þa eodon þan kyninge on hand: þæt wæs Ægelwine biscop 7 Morkere eorl 7 ealle þa þe mid heom wæron, buton Herewerde anum 7 ealle þe þe mid him ætfeon mihton, 7 he hi ahtlice ut alædde.

[They all surrendered to the king, that is to say Bishop Æthelwine and Earl Morcar and all who were with them, except Hereweard alone and those who could escape with him, and he led them out valiantly.]²³⁹

CONCLUSIONS

The foregoing analysis is not exhaustive. It lists all the men who are known to have been commended to, or tenurially dependent upon, members of the house of Leofwine, but there remains scope to speculate about others. Siward son of Æthelgar, the grandson of Eadric Streona and great-grandson of King Æthelred II, held eighty-five hides Shropshire and three in Worcestershire *TRE*. Three of Siward's Shropshire estates had been despoiled from the church of Worcester by Eadwine, brother of Earl Leofric, so it is possible that Siward was granted these by Leofric or one of his descendants.²⁴⁰ There are also several connections between a different Siward, Siward Barn, also one of the wealthiest thegns below the rank of earl in Edward the Confessor's court: this Siward held a significant amount of land in Warwickshire, Nottinghamshire, and Derbyshire; like the Leofwinesons, he held several estates which had formerly been granted to Burton Abbey; and, like Earl Morcar, he participated in the revolt at Ely and was imprisoned in

²³⁹ ASC D *s.a.* 1071; MS D, ed. Cubbin, 85.

²⁴⁰ HC, 276, 278; GDB 260a (Shropshire 5:2), 260c (Shropshire 7:1–3); Williams, ENC, 93–5.

Normandy by King William.²⁴¹ Several Lincolnshire estates attributed to Earl Morcar *TRE* are listed in the will of Ulf and Madselin, perhaps because they held these estates from Morcar in dependent tenure; and the same will records bequests to Peterborough, Crowland, Thorney, Stow St Mary, all closely connected with the Leofwinesons.²⁴² Although Domesday Book does not say so, it has been argued, plausibly, that many Cheshire thegns were commended to Earl Eadwine and Earl Morcar since they enjoyed tenurial dominance in that shire.²⁴³ It is therefore interesting that a certain Orm held an important Merseyside estate at Halton in Cheshire. This name is unusual, raising interesting possibilities. Was he identical with Orm son of Gamall who built the church at Kirkdale? Did he hold Halton from the Leofwinesons? If so, was this before or after the 1065 rebellion in which he was surely involved?²⁴⁴

This much is sure: the Leofwinesons' network of lordship was extensive and diverse. Its focal point was a group of household retainers who would hunt, dine, pray, and fight with their lords, accompany them to meetings of shire courts, and manage their financial affairs. In addition to this inner circle, many noblemen were attracted into the Leofwinesons' lordship. Some were among the wealthiest men in England; some were important royal officials; but the majority were more modest landholders, suitors to the shire and hundredal courts.

It is impossible to say how many commendations the Leofwinesons attracted overall. Little Domesday reveals that Eadric of Laxfield attracted nearly a thousand commended men in Suffolk *TRE*. Eadric was one of the wealthiest landholders in England below the rank of earl, but even so, his tenurial resources were not in the earl of Mercia's league. This makes it probable that the Leofwinesons' commended men were numbered in their thousands.²⁴⁵ To take another very approximate measure: the Leofwinesons would have been responsible for mobilizing more than 500 hundred men from their estates if they had done so

²⁴¹ *ASC DE s.a.* 1071; Gaimar, lines 5457–63; *Sym*, ii. 190; *JW*, iii. 20, 46; *OV*, ii. 226; *Burton*, ed. Sawyer, p. xlv; *VCH Warwickshire*, i. 282–3; Hart, 'Hereward', 640–7; Clarke, *English Nobility*, 338–9; Williams, *ENC*, 34.

²⁴² *Wills*, 94–7, 207–12.

²⁴³ N. J. Higham, *The Origins of Cheshire* (Manchester, 1993), 191–202.

²⁴⁴ von Feilitzen, *PPN*, 337; Williams, 'Thegnly Piety', 10–11.

²⁴⁵ Clarke, *English Nobility*, 38, estimates his estate to be worth £192. I count approximately 960 men commended to Eadric of Laxfield, although this estimate may be a little high owing to double-counting (for this problem, see Williams, 'Little Domesday and the English', 112–13).

according to the five-hide rule.²⁴⁶ Continental parallels sometimes help to register English possibilities. For example, it is instructive to learn that, in the eleventh century, 'German counts and bishops ... thought nothing of retaining a hundred knights or more, and the greatest magnates much larger forces'; that the 'the count of Flanders was usually accompanied by between fifty and a hundred armed men'; and that 'the duke of Aquitaine took a hundred knights with him on a visit to the viscount of Ventadour'.²⁴⁷ To take a much later, but better documented, case: in the late fourteenth century, the Lancastrian affinity comprised approximately 125 household officials, 200 indentured retainers and an even larger group of annuitants, and was financed by a landed income of approximately £10,000 per annum.²⁴⁸ This affinity was exceptionally large by any medieval standards, but in real terms the landed income of the Leofwinesons was not much less than John of Gaunt's, and that of the Godwinesons was greater.²⁴⁹ The Leofwinesons' lordship may therefore have been comparable in scale to the greatest late medieval affinities.

Whatever its size, the Leofwinesons' network of lordship constituted a vital source of power and security in a politically volatile world. Frustratingly, it is rarely visible in narrative sources, but occasionally the curtain lifts for long enough for us to see it in action. The annal for 1043 records that Leofric and his companions (*gengan*) were sent to place Queen Emma under house arrest.²⁵⁰ In 1051, King Edward desperately urged Leofric and Siward to bring their companions ('heora gencges') to his aid.²⁵¹ Vagn, Wulfwine and all the earl's housecarls were doubtless among them then, as they were when the lease of Great Tew was sanctioned, probably a few months later. Leofric's entourage must have been in a state of high alert throughout the crisis of 1051–2; so it is not impossible, indeed quite probable, that the retainers described in the *Vision of Earl Leofric* accompanied their lord while he patrolled

²⁴⁶ For the 'five hide rule', see Hollister, *Anglo-Saxon Military Institutions*, 38–58.

²⁴⁷ B. J. Arnold, *German Knighthood 1050–1300* (Oxford, 1985), 20; Dunbabin, *France in the Making*, 241.

²⁴⁸ S. Walker, *The Lancastrian Affinity* (Oxford, 1990), 8–38.

²⁴⁹ P. D. A. Harvey, 'The English Inflation of 1180–1220', *Past and Present* 61 (1973), 1–30, at 30 n. 107, estimates that a real reduction in the value of the currency of approximately two-thirds occurred between 1000 and 1300. On this basis, the landed income of the earls of Mercia would have been equivalent to approximately £8,000 in the fourteenth century.

²⁵⁰ *ASC D s.a.* 1043; *MS D*, ed. Cubbin, 67.

²⁵¹ *ASC D s.a.* 1051; *MS D*, Cubbin, 70.

the south coast of England in 1052, waiting for Godwine to return.²⁵² When Godwine did arrive in September that year, he was given an ecstatic welcome by those of his followers who had not followed him into exile;²⁵³ and although none of our sources say so, it is a reasonable guess that Earl Ælfgar received a similar welcome when he fought his way back from exile in 1055 and 1058. Here one recalls that a thegn named Ludric who was commended to Ælfgar held an estate at Yazor in the Wye valley west of Hereford: perhaps he joined Ælfgar and Gruffudd as they marched towards Hereford in 1055? Eadwine and Morcar mobilized the support of all the men from their earldom in 1065, and there is every reason to suppose that they went into battle with their closest retainers beside them at Fulford Gate the following year. When Eadwine was ambushed by Normans six years later, twenty soldiers who were among his most intimate retainers fought with him to the last.²⁵⁴

The relationships between the earls of Mercia and their men were conditioned by deeply rooted social conventions and powerful emotional bonds, but also by self-interest. The essence of lordship was interdependence, not dependence. It remains to be seen how the trauma of Conquest affected this delicate symbiosis.

²⁵² ASC C *s.a.* 1052 records that King Edward was at Sandwich for several weeks keeping watch for Earl Godwine, who had wintered in Bruges. For the suggestion that this was the most likely date for the events described in the *Vision of Leofric* to have occurred, see M. McC. Gatch, 'Miracles in Architectural Settings: Christ Church, Canterbury and St Clement's, Sandwich in the Old English *Vision of Leofric*', ASE 22 (1993), 227–52 at 229.

²⁵³ ASC E *s.a.* 1052; *VEdR*, 38–46.

²⁵⁴ Below, 279–80.

7

Conclusions: The Fall of the House of Leofwine, 1066–1071

This chapter offers two related conclusions: it describes and explains the fall of Eadwine and Morcar between 1066 and 1071, and in doing so arrives at the book's main contentions from another direction. The foregoing chapters explain how the house of Leofwine held on to power throughout a prolonged period of political and dynastic turbulence. They show that it did so partly as the consequence of political opportunism and good fortune, but more especially because the family proved able to exploit the various sources of power at its disposal: the formal powers vested in earls; tenurial resources which came with office, inheritance, and other sources; connections with rich and powerful monasteries cultivated through religious patronage; and a network of retainers, clients, and commended men built up through the exercise of lordship. The present chapter shows that the house of Leofwine fell when it was deprived of access to these sources of power in the aftermath of Hastings.

THE CAREERS OF EADWINE AND MORCAR, 1066–1071

Shortly after his coronation at Westminster on 25 December 1066, King William imposed a heavy geld and compelled many English landholders to 'buy back' their lands.¹ According to William of Poitiers and Orderic Vitalis, he also received a further round of submissions at Barking in early 1067. The men said to have submitted there include Eadwine and Morcar; a substantial Yorkshire thegn named Copsig, who had served Tostig

¹ *ASC DE s.a.* 1066, 1067; cf. WP, 162. For the English 'buying back' their lands, see Freeman, *NC*, iv. 22–7, 723–4; Williams, *ENC*, 9–10.

as his deputy in Northumbria; a man named Thorkell of *Limis*, who has plausibly been identified as Thorkell 'of Warwick'; a Shropshire magnate called Siward son of Æthelgar together with his brother Ealdred; and their cousin, a Shropshire thegn named Eadric whose conduct after the conquest earned him the epithet 'the Wild'. It will be recalled that Eadwine and Morcar had submitted to William at Berkhamsted before Christmas 1066, and it is possible that William of Poitiers misplaced this event and mistook Barking for Berkhamsted; however, it is more likely that there were two separate acts of submission, and that the purpose of the second was for Eadwine and Morcar formally to submit to William together with representatives of the English nobility in Mercia and the north.² One of the men who submitted at Barking appears to have profited from doing so, for Copsig was appointed earl of Northumbria beyond the Tyne in early February 1067, displacing Osulf son of Eadulf, the member of the house of Bamburgh who had been appointed by Morcar as his deputy in that region. But Copsig did not enjoy his earldom for long: he was attacked and killed by Osulf on 12 March 1067.³

At some stage during the same month, King William returned in triumph to Normandy taking several leading English magnates with him: these included Eadwine and Morcar, Edgar Ætheling, Earl Waltheof, Archbishop Stigand, Abbot Æthelnoth of Glastonbury, and a prominent Kentish nobleman named Æthelnoth.⁴ The *Anglo-Saxon Chronicle* says these men were taken as *gistas* (hostages).⁵ William of Poitiers concurs. He says that the king thought it prudent take many English noblemen with them 'veluti obsides' ('almost like hostages') because he feared they might rebel in his absence, adding that they were not led about like captives but were allowed to accompany the king on horseback as part of his retinue.⁶ William's itinerary during this visit to Normandy can be partly reconstructed from charter evidence: he was at Fécamp at Easter (8 April), Le Vaudreuil at some point in April, Saint-Pierre-sur-Dives on 1 May, Lyons-la-Forêt on 24 June, and Jumièges on 1 July; and he visited Rouen and Caen at some stage during the year. According to William of Poitiers, Normans and Frenchmen stared with curiosity

² WP, 160–2; OV, ii. 194; Williams, *ENC*, 7–8.

³ *LDE*, 180–1; *HReg*, s.a. 1072 (*Sym*, ii. 198–9 (and cf. ii. 383–4)); WP, 184–6. For Copsig, see Freeman, *NC*, iv. 77, 738–41; Kapelle, *Norman Conquest of the North*, 106–8; Aird, *St Cuthbert and the Normans*, 54–5, 62, 64, 66–8.

⁴ *ASC D* s.a. 1066; *JW* s.a. 1067 (iii. 4); WP, 166; OV, ii. 196.

⁵ *MS E*, ed. Irvine, 87. ⁶ WP, 168.

at the handsome, long-haired Englishmen in William's entourage at Fécamp. Otherwise, the movements of the English hostages are not known for certain, for they do not subscribe any of the charters issued or confirmed by William in Normandy in 1067—a point which suggests that their captivity may not have been as honourable as William of Poitiers would have us believe.⁷

William returned to England on 6 December 1067 and celebrated Christmas at Westminster. According to MSS D and E of the *Anglo-Saxon Chronicle*, 'se kyng sette micel gyld on earm folc' ('the king imposed a heavy geld on the wretched people'), and 'geaf ælces mannes land þa he ongean com' ('gave away every man's land when he came back').⁸ The process of conquest and colonization was, however, far from complete at this stage. Probably only the south-east corner of England was securely under Norman control during the winter of 1067–8: the fall of the house of Godwine and other casualties of Hastings meant that William and his men controlled substantial amounts of territory and property in eastern Wessex, East Anglia, the south-east Midlands and Kent, but many English noblemen in the Midlands and the north remained in control of their estates. It therefore remained possible that the Normans and the English might arrive at a peaceful *modus operandi*, just as the Danes and English had done fifty years earlier. Indeed, Eadwine and Morcar must have entertained the hope that they would eventually become firmly established within William's regime just as grandfather and great-grandfather had done within Cnut's. However, this possibility became increasingly remote as a sequence of rebellions between 1068 and 1071 caused William's attitude to harden against the English.

In the spring of 1068, William was forced to march west to put down a rebellion in Devon. He laid siege to Exeter until the city submitted, proceeded west to subdue Cornwall, and eventually returned to Winchester to celebrate Easter on 23 March. Shortly afterwards, William's wife Matilda crossed the channel to join her husband in England, and was crowned and consecrated queen by Archbishop Ealdred at Westminster on 11 May 1068.⁹ That day, King William issued a bilingual English and Latin diploma confirming the foundation of the collegiate church of St Martin-le-Grand in London by Ingelric the priest and his brother Eirard. The witness list of this diploma supplies a valuable glimpse

⁷ WP, 174–80; WJ, 172; OV, ii. 196–8; Bates, pp. 76–8, and nos. 231, 243, 251, 196.

⁸ *MS D*, ed. Cubbin, 81; *MS E*, ed. Irvine, 87.

⁹ *ASC D s. a.* 1067; OV, ii. 210–14.

of the composition of the Conqueror's court at this early stage in his reign. It is subscribed by William 'rex Anglorum and dux Normannorum', Matilda 'regina' and Richard 'regis filius'; archbishops Stigand and Ealdred, Bishop William of London, plus the bishops of three Norman and three English sees; the abbots of nine English monasteries; seven men styled 'comes' and two styled 'princeps'; Arfast the king's chancellor ('regis cancellarius'); eight royal priests, each styled 'regis cappellanus'; and two papal envoys, both styled 'cardinalis'. The list of 'comites' is of particular interest here. It is significant that each is styled 'comes' rather than 'dux', as had been normal before the conquest: this was presumably because it was judged politically insensitive to assign English earls and Norman counts the same rank as William, 'dux' of Normandy. The 'comites' occur in the following order: 'Willelmus filius Osberti comes' (Earl William fitz Osbern); 'Robertus, frater regis, comes' (Robert, count of Mortain, the king's half brother); 'Eadwinus comes' (Earl Eadwine); 'Robertus comes' (Robert, count of Eu); 'Marchere comes' (Earl Morcar); 'Walðeof comes' (Earl Waltheof); and 'Rogerus de Montegomeri comes' (Earl Roger de Montgomery).¹⁰ Another diploma issued in May 1068 bears Eadwine's subscription as *dux*, but not that of Morcar.¹¹ These documents are sufficient to prove that Eadwine and Morcar retained the title of earl—and in theory, therefore, a position of power and prestige within William's regime. However, the witness list also contains the subscriptions of two earls, William fitz Osbern and Roger de Montgomery, who had already been, or were about to be, appointed to earldoms in Herefordshire and Shropshire respectively. This is of crucial importance for understanding what happened next.

Within weeks of Matilda's coronation, Eadwine and Morcar rebelled. Orderic Vitalis, who was following the now-lost ending of William of Poitiers, is the only source to describe their rebellion. His account follows immediately after his description of Matilda's coronation:

Eodem anno egregii iuuenes Eduinus et Morcarus filii Elfgari comitis rebel-lauerunt, et cum eis multi alii ferociter insurrexerunt; quorum motus Albionis regnum uehementer turbauerunt. Guillelmus etenim rex quando Eduinus comes cum eo concordiam fecerat, eique fratrem suum et pæne terciam partem Angliæ subdiderat; filiam suam se in coniugem ei daturum sponponderat, sed

¹⁰ Bates, no. 181. For Ingelric, see P. Taylor, 'Ingelric, Count Eustace and the Foundation of St Martin-le-Grand', *ANS* 24 (2002), 215–37; for the significance of the uses of the style 'comes' instead of 'dux', see Lewis, 'Early Earls', 211–13.

¹¹ Bates, no. 286.

postmodum fraudulentō consultu Normannorum qui nimis inuidi sunt et cupidi concupitam uirginem et diu expectatam denegauit nobilissimo iuueni. Vnde iratus cum fratre suo rebellionem incitatus est, eumque magna pars Anglorum et Gualorum secuta est.

[In the same year [1068] the noble youths Eadwine and Morcar, sons of Earl Ælfgar, rebelled, and many others with them; so that the realm of Albion was violently disturbed by their fierce insurrection. For when King William had made his peace with Earl Eadwine, granting him authority over his brother and almost a third of England, he had promised to give him his daughter in marriage; but later, listening to the dishonest counsels of his envious and greedy Norman followers, he withheld the maiden from the noble youth, who greatly desired her and had long awaited for her. At last his patience wore out and he and his brother were roused to rebellion, supported by a great many of the English and Welsh.]¹²

Orderic goes on to say that Bleddyn, king of the Welsh, came to the assistance of Eadwine and Morcar, bringing a great army of Welshmen with him; that news of their rebellion triggered disturbances north of the Humber; that the king responded by marching to Warwick where he built a castle, entrusting it to Henry, the son of Roger de Beaumont; and that this was sufficient to force Eadwine and Morcar into submission:

pacem bello non incongrue præponentes gratiam regis petierunt, et specie tenuis obtinuerunt.

[wisely preferring peace to war, they sought the king's pardon and obtained it, at least in outward appearance.]¹³

William then marched to Nottingham where he built another castle which he assigned to William Peverel before turning his attention to the north.

There followed two long years of rebellion in which Eadwine and Morcar are not known to have played any part, even though much of the fighting took place within their earldoms. In the summer of 1068, Edgar Ætheling and his mother and sisters fled to the court of King Malcolm in Scotland as William marched north to confront them; they were joined in Scotland by Mærle-Sveinn and Gospatric son of Maldred, then earl of Northumbria between Tyne and Tees. William entered York, built a castle there on the site of Clifford's Tower,

¹² OV, ii. 214–17. According to William of Malmesbury (WM, *GR*, 468), King William would have married Eadwine and Morcar to his kinswomen and honoured them with friendship had they been content to remain in peace.

¹³ OV, ii. 218–19.

and appointed Robert fitz Richard as castellan and William Malet as sheriff. The king then received the submission of Bishop Æthelwine of Durham and a powerful Northumbrian thegn named Arnkell, made peace with Malcolm of Scotland, and eventually returned south via Lincoln, Huntingdon, and Cambridge, building castles in each of these towns.¹⁴ At about this time, three of King Harold's sons sailed from Ireland and attacked Somerset, Devon, and Cornwall; but they then encountered resistance from an army led by an Englishman, Eadnoth the staller, and were eventually forced to return whence they came.¹⁵ Then trouble resumed in the north. On 31 January 1069, Robert de Commines, the newly appointed earl of Northumbria, was killed in Durham together with a garrison of several hundred men.¹⁶ Shortly afterwards, Robert fitz Richard and his garrison were attacked and killed in York, whereupon Edgar Ætheling entered the city with all the Northumbrians (including Mærle-Sveinn, Gospatric and Arnkell) and the citizens made peace with him. Responding to William Malet's desperate plea for help, the king marched north and entered York once more, constructed another castle on the edge of the city, left William fitz Osbern to secure the city, and then returned south to celebrate Easter (12 April) at Winchester.¹⁷ On 24 June 1069, the sons of Harold landed in the southwest for a second time but were again defeated, this time by an army led by Count Brian of Brittany.¹⁸ During the same year, at dates which are impossible to fix, Norman fortresses were attacked at Shrewsbury, Exeter, and Montacute in Somerset.¹⁹

There followed the most serious and sustained attack against William's rule in England. In the late summer of 1069, King Swein of Denmark sent a fleet to invade England under the command of his brother, Earl Asbjorn, and two of his sons, Harold and Cnut. The fleet ravaged the south-east coastline landing at Dover, Sandwich, Ipswich and Norwich before sailing into the Humber. There it joined up with an English force led by Edgar Ætheling, Earl Waltheof, Earl Gospatric, Mærle-Sveinn, Siward son of Æthelgar, and many other Northumbrians. The Danes and English stormed the city of York on 21 September 1069, tearing

¹⁴ *ASC D s.a.* 1067; *JW s.a.* 1068 (iii. 6); *OV*, ii. 218, 222.

¹⁵ *ASC D s.a.* 1067; *JW s.a.* 1068 (iii. 6–8); Gaimar, vv. 5405–16; B. Hudson, 'The Family of Harold Godwinson and the Irish Sea Province', *Journal of the Royal Society of Antiquaries of Ireland* 109 (1979), 92–100.

¹⁶ *ASC DE s.a.* 1068; *LDE*, 182–4; *HReg, s.a.* 1069 (*Sym*, i. 186–7); *OV*, ii. 220–2.

¹⁷ *ASC DE s.a.* 1068; *OV*, ii. 222.

¹⁸ *ASC D s.a.* 1068; *JW s.a.* 1069 (iii. 8); *OV*, ii. 224.

¹⁹ *OV*, ii. 228.

down its two castles, and killing hundreds of Frenchmen. William Malet was taken prisoner. William's response was brutal. He led an army into Lincolnshire, leaving part of his forces under the command of counts Robert of Mortain and Robert of Eu, before heading to Stafford to put down a separate rebellion. He then marched to Nottingham, and from there to York, which he entered without opposition. At York, he appears to have reached an agreement with the Danes, eliciting a promise from them to withdraw into Lincolnshire and to return to Denmark in the spring of the following year. The harrying of the north then began in earnest in Yorkshire: according to MS D of the *Anglo-Saxon Chronicle*, William 'þa scire mid ealle forhergode 7 aweste' ('utterly ravaged and laid waste that shire'). He paused to celebrate Christmas in York before marching north to the mouth of the Tees where he received the submissions of Waltheof (in person) and Gospatric (by proxy); the region between the Tyne and Tees was then harried. In February 1070, William led his army across the Pennines in conditions which were so appalling that the men of Anjou, Brittany, and Maine begged to be released from the king's service. Undaunted, William brought his army to Chester and suppressed all risings throughout Mercia, constructing castles at Chester and Stafford before finally returning south to disband his army at Salisbury. The devastation wrought by William's army displaced families from throughout Yorkshire and north-west Mercia, and many starving refugees found their way to Evesham where they received food and shelter.²⁰

All this had a decisive effect on William's attitude towards the English. The rebellions of 1068 and 1069 appear to have caused him to abandon any plans he may have had to integrate the English nobility within his regime: as Ann Williams has observed, the king from now on 'took every opportunity to replace English magnates, lay or ecclesiastical, with Normans on whom he felt he could rely'.²¹ This became apparent at two legatine councils held at Easter and Whitsun 1070, when certain English churchmen fell from power. The first of these was held at Winchester on 7 or 11 April 1070. Here,

²⁰ ASC DE s.a. 1069, 1070; MS D, ed. Cubbin, 83–4; JW s.a. 1069 (iii. 8–10); OV, ii. 224–32; HReg, s.a. 1069 (Sym, i. 186–9); LDE, 184–8; Evesham, 166; Williams, ENC, 33–44. For the impact of the harrying and the question as to whether it is visible in Domesday Book, see, most recently, J. J. N. Palmer, 'War and Domesday Waste', in *Armies, Chivalry and Warfare in Medieval Britain and France*, ed. M. Strickland, Harlaxton Medieval Studies 7 (1998), 256–75.

²¹ Williams, ENC, 44.

Archbishop Stigand, his brother Bishop Æthelmær of Elmham, and Bishop Leofwine of Lichfield were deposed. It was also determined that Æthelric, the former bishop of Durham, should be imprisoned; and that his brother, Æthelwine, the incumbent bishop of that see, should be outlawed. Bishop Æthelric of Selsey was deposed at another council held at Windsor on 24 May.²²

Shortly afterwards, trouble flared up again in the east. The Danes had wintered between the Trent and Humber, apparently with the king's agreement; but when spring came, they failed to return home as they had promised; instead, they were reinforced by a fleet commanded by King Swein in person. Meanwhile, an Englishman named Hereward had emerged as a leader of resistance in the fens. On 2 June 1070, he and his men stormed the monastery at Peterborough, looted many of its treasures and took them to Ely. They were joined there by a detachment of Danes led by Earl Asbjorn. However, in late June the king managed to reach an agreement with Swein whose fleet then left England for good, loaded with Peterborough treasure.²³ There were further disturbances in the north that summer: in particular, King Malcolm of Scotland ravaged Teesdale and Holderness prompting Earl Gospatric to lead a retaliatory attack on Cumbria.²⁴ However, by August, William felt sufficiently secure in England to install Lanfranc as archbishop of Canterbury before crossing the channel to Normandy.

Eadwine and Morcar are not mentioned in connection with any of these events. Indeed, it is not clear what they did between the summers of 1068 and 1070. An authentic, original diploma issued in 1069 supplies our only secure information as to their whereabouts.²⁵ This consists of a confirmation by King William of a grant by Bishop Leofric of Exeter to the church of St Peter in Exeter of land in Oxfordshire and Devon. It survives as a single sheet and has most of the characteristics of a late Anglo-Saxon diploma, including vernacular boundary clauses and a witness list. It is subscribed by King William, Queen Matilda, Archbishop Stigand, six bishops, Abbot Baldwin, six 'comites', Arfast 'cancellarius', Ingelric the priest, three men styled 'uiccomes' and five men styled 'minister'. Matilda apparently returned to Normandy in the

²² *Councils and Synods*, ed. Whitelock *et al.*, nos. 86 and 87 (565–81).

²³ *ASC E s.a.* 1070.

²⁴ *HReg, s.a.* 1070 (*Sym*, i. 190–1).

²⁵ Bates, no. 138. The attestation 'signum Ædwini'—presumably Earl Eadwine—also occurs in the short witness list of one of the versions of Bates, no. 81, which is dated 1070 and issued at Windsor; but the status and authenticity of this document is less certain.

summer of 1069,²⁶ so the diploma was probably drawn up before that date, perhaps at Winchester where William celebrated Easter in 1069. The six 'comites' were Count Robert (either the count of Mortain or of Eu); William fitz Osbern; Count Brian of Brittany; Eadwine and Morcar; and Ralph, either the elder or the younger earl of East Anglia of that name. This suggests that Eadwine and Morcar retained the title of earl and remained present at the king's court during the first half of 1069. However, quite what this meant in practice is difficult to determine. Orderic says that Eadwine and Morcar were formally restored to king's favour, but only in outward appearance ('specie tenus'). This is probably a judicious assessment. It receives support from the fact that Eadwine and Morcar do not appear among the 'comites' who subscribe another royal diploma which is dated 13 April 1069 and concerns land in Gloucestershire and Oxfordshire; and with the fact that they are not named or addressed in several other documents which are concerned with affairs in Mercia and Northumbria and which date to the early part of the Conqueror's reign.²⁷ It looks as if Eadwine and Morcar were present at the king's court between 1068 and 1070, but were treated more like 'obsides' than 'comites'.

In 1071, they rebelled again, this time with disastrous consequences. Their fall is described in slightly different ways by the *Anglo-Saxon Chronicle*, John of Worcester, and Orderic. According to E

Ædwine eorl 7 Morkere eorl ut hlupon 7 mislice ferdon on wudu 7 on felda. Ða gewende Morkere eorl to Elig on scipe, and Eadwine eorl wearð ofslagen arhlice fram his agenum mannum.

[Earl Eadwine and Earl Morcar fled away and travelled aimlessly in woods and moors. Then Earl Morcar went to Ely in a ship, and Earl Eadwine was killed treacherously by his own men.]²⁸

The same source goes on to describe how Morcar surrendered to William before being imprisoned. It says that Bishop Æthelwine, Siward Barn, and many hundreds of men joined Morcar at Ely; but when William heard about this he called out a *scypfyrde* and a *landfyrde* for an expedition to the Isle. Once there, the king stationed his ships on the seaward side and constructed a great bridge or causeway across the fens, presumably to give his *landfyrde* access to the abbey. Confronted with hopeless odds, Morcar, Bishop Æthelwine, and most of the rebels surrendered, except

²⁶ OV, ii. 222 and n.6.

²⁷ Bates, no. 254; below, 287–9.

²⁸ *MS E*, ed. Irvine, 90.

for Hereward and those who wished to remain with him. William then seized their weapons and money and did as he pleased with their men. Æthelwine was sent to Abingdon and died there during the winter; the fate of the remaining captives is not described. John of Worcester's account is close to E, but he adds that Eadwine and Morcar fled secretly from the king's household because he wanted to place them 'in custodiam'. John also says that, of those who surrendered with Morcar, some were imprisoned and some were mutilated.²⁹

Orderic gives a rather different versions of events. He places Morcar's capture and imprisonment at Ely before the death of Eadwine, and says that William tricked Morcar into submission at Ely by promising to receive him in peace and friendship.

Rex autem metuens ne Morcarus iniurias sibi et compatriotis suis nequiter illatas ulcisceretur, et per eum aliquae seditiones impacabiles in regno Albionis orirentur; illum sine manifesto reatu uinclis iniecit, omnique uita sua in ergastulo cohercuit, et cautelæ Rogerii oppidani Belmontis mancipauit. Quod formosissimus iuuenis Eduinus comes ut audiuit, emori quam uiuere peroptauit; nisi Morcarum fratrem suum iniuste captum liberasset, aut uberrimo sanguine Normannorum sese uindicasset. Sex igitur mensibus a Scottis et Gaulis uel Anglis auxilia sibi quæsiuit. Interea tres fratres qui ei familiares præcipuique satellites erant Normannis eum prodiderunt; et ipsi eundem cum xx equitibus toto nisu sese defendentem occiderunt. Tunc ad hoc facinus exestuatio marina Normannos adiuuit; quæ ad riuulum quendam Eduuinum morari coegit, eique fugam penitus ademit. Audita per Angliam Eduini morte, luctus ingens non solum Anglis sed et Normannis et Francis ortus est; qui eum uelut socium seu cognatum cum multis fletibus planxerunt. Nam idem ut supra dictum est fuerat ex religiosa parentala natus, multisque bonis deditus; prout poterat inter tanta sæcularium curarum impedimenta positus. Corporis pulchritudine in multis milibus eminebat; et clericorum atque monachorum pauperumque benignus amator erat. Rex autem Guillelmus comperta proditioe qua sepefatus Merciorum consul perierat pietate motus fleuit, et proditores qui fauore illius ei caput domini sui deferebant seuerus in exilium expulit.

[The king, however, fearing that Morcar might wish to avenge all the wrongs that he and his fellow countrymen had endured, and might foment further hostile risings in the realm of Albion, flung him into fetters without any open charge, and kept him in prison to the end of his days under the charge of Roger castellan of Beaumont. When the fair youth Earl Eadwine learned of this he determined to prefer life to death unless he could free his brother Morcar from unjust captivity, or avenge him fully in Norman blood. So for six

²⁹ JW *s.a.* 1071 (iii. 18–20).

months he sought support among the Scots, Welsh and English. But during this period three brothers who were his most intimate servants betrayed him to the Normans; and they slew him with twenty knights, all fighting desperately to the last. The Normans owed their success in part to a high tide, which penned up Eadwine beside a tidal stream and prevented his escape. When the news of Eadwine's death spread through England, Normans and French alike joined the English in mourning and lamenting him as though he had been a close friend or kinsman. For he, as I have already told, came of pious parents, and had devoted himself to all the good works that were possible for one caught up in so many worldly duties. He was so handsome that few could compare with him: and was a generous friend to clergy and monks and to the poor. King William, when he heard of the treachery that had brought this Mercian earl to his death, was moved to righteous tears, and when the traitors brought the head of their master to him, hoping for a reward, he angrily commanded them to leave the country.]³⁰

Elements of this account could have been drawn from heroic literature: the tidal stream, the betrayal of the earl by three retainers, and the loyalty of those who fought to the last with their lord—these motifs can all be found in the *Battle of Maldon*.³¹ However, Orderic's account is demonstrably reliable in certain respects and is probably so in others. All the sources agree that Eadwine was betrayed by his own men.³² The severing of Eadwine's head need not be invention: it will be recalled that the head of Eadwine's brother-in-law had been presented to King Edward only eight years earlier.³³ That Morcar was placed in the custody of Roger de Beaumont is certain, for a charter issued by Roger in 1086 was witnessed by 'comes Morcart'.³⁴ Morcar and Wulfnoth, Earl Harold's brother, were both freed by King William when he lay on his deathbed in September 1087, but immediately after the Conqueror's death, William Rufus took Morcar and Wulfnoth to England and imprisoned them both at Winchester.³⁵ This is the last we hear of Morcar. It is a bitter irony that the eldest surviving representatives of the houses of Leofwine and Godwine, whose rivalry had been a leitmotif of mid eleventh-century politics, and one of the contributory factors to the Conquest itself, were left to contemplate their families' demise whilst languishing in the same prison.

³⁰ OV, ii. 256–9. ³¹ Williams, *ENC*, 53 n. 53.

³² ASC DE s.a. 1071; JW s.a. 1071 (iii. 18–20); HC, 262.

³³ ASC DE s.a. 1063.

³⁴ F. Lot, *Études Critiques sur l'Abbaye de Saint-Wandrille*, Bibliothèque de l'École des Hautes Études 204 (Paris, 1913), no. 41 (with correction, p. 207).

³⁵ JW s.a. 1087 (iii. 46–7).

WHY DID THE HOUSE OF LEOFWINE FALL?

It might be argued that there is nothing to explain—that Eadwine and Morcar were simply overtaken by events which were beyond their power to control. This is of course true up to a point; but it remains possible to identify deeper, structural explanations.

These bear on the wider question as to how the Normans secured the conquest of England between 1066 and 1071. It is essential to register that the Norman conquest of England began, but did not end, at Hastings: the period between 14 October 1066 and the summer of 1071 was a critical one during which the Normans succeeded in consolidating their initial victory. Several factors contributed to their success. William enjoyed the ideological benefits which flowed from the fact that he had been consecrated king by an English archbishop. Many Englishmen must have concluded that it would be easier to accept his claims to legitimacy than to fight against them. The Normans overwhelmed the English by force: outbreaks of rebellion were swiftly crushed, parts of the country which sheltered rebels were devastated, towns were subjugated, and castles were constructed to secure territorial gains. The English failed to offer effective resistance: many Englishmen preferred submission to rebellion, and those who chose to rebel lacked leadership, co-ordination, and resolve. The Normans also secured control of the formal power structures which underpinned the late Anglo-Saxon state: its writing office, its monetary, fiscal and judicial structures. This much has been firmly established in the literature, but one other factor needs further elucidation: informal power structures based on networks of landholding and lordship were also undermined, displaced, and often replaced during the earliest phase of Norman colonization—that is, *before*, as well as after, 1071. The remainder of this chapter explores how these developments sealed the fates of Eadwine and Morcar. It argues that they lacked influence and credibility at court; lost territory and property to rival earls; were unable to exercise meaningful power within their earldoms; and failed to hold their family's networks of patronage and lordship together.

That Eadwine and Morcar lacked influence and credibility at the William's court is readily demonstrable. Although William of Poitiers denies it—indeed, precisely because he denies it—we can be confident that it was humiliating for Eadwine and Morcar to have been paraded

through Normandy as hostages in 1067. Orderic's suggestion that Eadwine and Morcar rebelled in 1068 because Norman courtiers had succeeded in turning the king against them is entirely credible. Although they subscribed some of the royal diplomas issued in England between 1068 and 1070, their names are conspicuous by their absence in the witness lists of others. It is especially striking that they were not among the four 'comites' whose subscriptions occur in an original diploma concerning property in Gloucestershire and Oxfordshire issued at Winchester on 13 April 1069, for Gloucestershire bordered onto and Oxfordshire had actually formed part of Eadwine's earldom before 1066.³⁶ Eadwine and Morcar do not occur in King William's earliest charters with anything like the frequency as do the names of his closest advisers. William fitz Osbern was addressed, named in, or subscribed to more than thirty charters issued by the king between 1066 and 1071; Eadwine's name occurs in just five.³⁷

Eadwine and Morcar were undermined by the creation of new earldoms which impinged on their former commands. William's earliest comital appointments were as follows:

1. East Anglia. Earl Ralph was the son of a Breton father of the Montfort-Gael line but was born in England and became a 'staller' in King Edward's court. He was assigned the earldom of East Anglia which had been administered by Earl Gyrth in 1066. He is addressed as earl in a series of writs relating to Bury St Edmunds, and was among those charged to oversee the process by which the English 'bought back' their lands from the Conqueror. He died between 1068 and 1070 and was succeeded in office by his son, Ralph de Gael, who rebelled in 1075.³⁸
2. Kent and the south-east midlands. Odo of Bayeux, the king's half-brother, Odo of Bayeux, issued writs and witnessed charters as earl of

³⁶ Bates, no. 254. Significantly, the diploma is subscribed by twelve laymen besides King William and his son Richard, and all twelve of these men were Frenchmen. The contrast with Bates, no. 286 issued in May 1068 is striking, for the latter had been subscribed by thirty laymen of whom approximately half were Englishmen.

³⁷ Bates, index, *s.n.* (pp. 1069, 1150). Nine of the documents in which William fitz Osbern's name occurs were concerned with transactions in Normandy, and about a dozen of the English documents are spurious; but it remains plain that Earl William enjoyed considerably more power and influence than did Eadwine prior to 1071.

³⁸ Keynes, *Atlas*, Table 75; Keynes, 'Regenbald', 205–6; Williams, *ENC*, 13, 49, 61–2, 109; A. Williams, 'Ralph the Staller, earl of East Anglia (d. 1068x70)', in *ODNB*.

Kent; and although the earliest of these is dated 1072, it is probable that Odo acquired his earldom in about 1067, for the *Anglo-Saxon Chronicle* says that he ruled southern England from a base at Dover while King William was in Normandy. Odo succeeded to many of the comital manors held by Earl Leofwine *TRE* and it has been plausibly suggested that he succeeded to Leofwine's command as earl in Surrey, Middlesex, Hertfordshire and Buckinghamshire during the first few years of the Conqueror's reign.³⁹

3. The south-west Midlands. William fitz Osbern was one of the king's oldest and most loyal friends. Like Odo, he was charged with the defence and subjugation of southern England in 1067, though his base was at Winchester. His earldom probably comprised all the shires which had constituted Earl Harold's earldom. He was killed at the battle of Cassel in Flanders on 22 February 1071.⁴⁰
4. Shropshire. Earl Roger de Montgommery was entrusted with the government of Normandy during the invasion of England together with Matilda and Roger de Beaumont. He came to England for the first time with William in December 1067. By 1086, he was the richest lay lord in England other than the king and his half-brothers, and his estates were concentrated in two distinct areas, one in west Sussex, the other in Shropshire.⁴¹
5. Cheshire. According to Orderic, Gerbod the Fleming was assigned the city and *comitatus* of Chester at some stage prior to the fall of Eadwine and Morcar, but returned to Flanders shortly afterwards and was succeeded as earl of Chester by Earl Hugh d'Avranches.⁴²
6. Northumbria. Four men succeeded to the earldom in Northumbria north of the Tyne in quick succession before 1071. Tostig's former

³⁹ For Odo of Bayeux, see Lewis, 'Early Earls', 217–8; D. Bates, 'The Character and Career of Odo, Bishop of Bayeux', *Speculum* 50 (1975), 1–20; *idem*, 'Odo, earl of Kent (d. 1097)', in *ODNB*.

⁴⁰ For William fitz Osbern, see Lewis, 'Early Earls', 216–17; *idem*, 'William fitz Osbern, earl (d. 1071)', in *ODNB*.

⁴¹ J. F. A. Mason, 'Montgomery, Roger de, first earl of Shrewsbury (d. 1094)', in *ODNB*; *idem*, 'Roger of Montgomery and His Sons'.

⁴² For Gerbod, see E. A. Freeman, 'The Parentage of Gundreda, wife of William de Warenne', *EHR* 3 (1888), 680–701; R. H. George, 'The Contribution of Flanders to the Conquest of England, 1065–1086', *Revue Belge de Philologie et Histoire* 5 (1926), 81–97, at 87. For Hugh d'Avranches, see OV, ii. 260; C. P. Lewis, 'The Formation of the Honour of Chester, 1066–1100', *The Earldom of Chester and its Charters*, ed. A. T. Thacker, *Journal of the Chester Archaeological Society* 71 (1991), 37–68; *idem*, 'Hugh d'Avranches, first earl of Chester (d. 1101)', in *ODNB*.

deputy Copsig became earl in Northumbria in February 1067 but was killed by Osulf of Bamburgh five weeks later; Osulf was himself killed in the autumn of 1067 when he was run through by the spear of a robber; Osulf's kinsman, Gospatric son of Maldred purchased the earldom from the king when he returned from Normandy in December 1067, but he rebelled and fled to Scotland in the summer of 1068, spending the winter at Malcolm's court; and his successor Robert de Commynes was killed by a Northumbrian mob in January 1069. Later that year, Gospatric surrendered to the king and was briefly restored to office, but was stripped of his earldom again in 1072 whereupon he fled back to Scotland.⁴³ Finally, Earl Waltheof retained control of the earldom in the east Midlands to which he had been assigned in the early 1060s. He also became earl in Northumbria in 1072, but rebelled in 1075 and was executed on 31 May 1076.⁴⁴

What impact did these appointments have on Eadwine and Morcar? The question turns on whether or not King William appointed earls over regions which had formerly formed part of their earldoms before 1071, for if so, these appointments should be interpreted as causes, not consequences, of their fall.

There is strong evidence that he did. Orderic implies that Gerbod was installed as earl in Cheshire some time before (*iamdudum*) 1071.⁴⁵ Orderic also says that when Roger de Montgommery came to England in December 1067, the king rewarded him in two stages: 'eique primo Cicestram et Arundellum ac post aliquot tempus Scrobesburiensum comitatum donauit' ('first he granted him Arundel and Chichester, and a little later the county of Shropshire').⁴⁶ This has often been taken to mean that Hugh acquired Shropshire after the fall of Eadwine and Morcar.⁴⁷ However, it will be recalled that Roger was among the

⁴³ Aird, *St Cuthbert and the Normans*, 64–86, is the best account of Northumbrian politics in this period.

⁴⁴ For Waltheof, see F. S. Scott, 'Earl Waltheof of Northumbria', *Archaeologia Aeliana*, 4th series 30 (1952), 149–215; Williams, *ENC*, 33–4, 57–9, 63–4; C. P. Lewis, 'Waltheof, earl of Northumbria (c. 1050–1076)', in *ODNB*.

⁴⁵ Chibnall (OV, ii. 260–1, n. 4 citing George, 'Contribution of Flanders to the Conquest of England', 87 n. 28) suggests that Hugh d'Avranches succeeded Gerbod before 22 February 1071. This argument depends on Bates, no. 104, a writ which purports to be addressed to Earl William fitz Osbern and Earl Hugh of Chester; but this is a twelfth-century forgery which cannot be relied upon for dating purposes.

⁴⁶ OV, ii. 210.

⁴⁷ Mason, 'Roger of Montgomery', 3–4.

'comites' who subscribed a royal diploma at Westminster on 11 May 1068; and whereas there is no evidence that Roger exercised comital powers in Sussex he certainly did so in Shropshire—indeed, he was later styled earl of Shrewsbury. This has prompted the suggestion that Roger was assigned control of Shropshire in the late 1060s.⁴⁸ One further piece of evidence, which has not hitherto been noticed, lends considerable weight to this suggestion. Roger 'dux' is among the laymen who subscribed a Worcester charter which appears to have been written in 1067 and confirmed in c. 1068, and which pertains to an estate that lay in Worcestershire, close to the Shropshire border.⁴⁹

Earl William undoubtedly exercised comital authority in Herefordshire and Gloucestershire before he died in February 1071.⁵⁰ Since these shires formed part of Earl Harold's earldom before 1066, William's presence there need not have affected Eadwine. However, there is also clear evidence that he was also active in Worcestershire, which had formed part of Eadwine's command before 1066: Domesday Book proves that he controlled more than seven substantial estates in Worcestershire;⁵¹ Hemming complained that he and his men despoiled several estates from the church of Worcester;⁵² he witnessed a diploma relating to Wolverley in Worcestershire;⁵³ and he is addressed in a writ, written in Old English, confirming the assignment of the lands of Pershore and Deerhurst to Westminster Abbey.⁵⁴ The writ is addressed to Earl William, Archbishop Ealdred, Bishop Wulfstan and all the king's thegns in Gloucestershire, Worcestershire, and Oxfordshire. Ealdred's inclusion in the address clause is significant, for it proves that the writ must

⁴⁸ Lewis, 'Early Earls', 219–20.

⁴⁹ Bates, no. 345 (version I).

⁵⁰ Round, *VCH Herefordshire*, i. 270–2; W. E. Whiteman, 'The Palatine Earldom of William fitz Osbern in Gloucestershire and Worcestershire, 1066–71', *EHR* 77 (1962), 6–17; C. P. Lewis, 'The Norman Settlement of Herefordshire Under William I', *ANS* 7 (1985), 195–213; Lewis, 'Early Earls', 216–17; 'William fitz Osbern, earl (d. 1071)', in *ODNB*; D. Bates, 'William the Conqueror, William fitz Osbern and Chepstow Castle', in *Chepstow Castle: Its History and Buildings*, ed. R. Turner and A. Johnson (Logaston, 2006), 15–22.

⁵¹ The estates in question were Martley, Feckenham, Hollow Court, Bushley, Queenhill, Eldersfield, and Suckley: GDB 180c–d (Herefordshire 1:39–47).

⁵² The estates in question were Himbleton, Spetchley, Wolverton, Whittington, Hadzor, all seized by William himself; and Pendock, Alton-in-Rock and Astley, seized by William's sheriff Ralph de Bernay with his lord's support. See *HC*, 249–50, 255–6, 262–4, 266; and Williams, 'Spoliation', 396–7, 405.

⁵³ Bates, no. 345. According to Hemming (*HC*, 261–2), Wolverley was one of the estates which Earl Leofric restored to the church of Worcester at the end of his life. This makes it all the more striking that Eadwine fails to subscribe the diploma in question.

⁵⁴ Bates, no. 295.

have been issued before 11 September 1069 when Ealdred died. It is also significant that Eadwine's name is conspicuous by its absence. This is sufficient to demonstrate that Eadwine's authority in Worcestershire was severely compromised by William fitz Osbern; indeed, it seems probable that Worcestershire actually formed part of the latter's command.⁵⁵

To summarize, King William installed at least one and probably three new earls to commands along the Welsh border while Eadwine remained in power. In this respect, William's policy resembles that of Cnut, for it will be recalled that Cnut installed Eilífr, Hrani, and Hákon in earldoms along the Welsh border shortly after 1016.⁵⁶ William, like Cnut, would have been keen to install trusted magnates along the border with Wales, partly to make arrangements for its defence, and partly to prevent the nobility of Mercia forming dangerous cross-border alliances. In this connection, it is important to register that Eadwine and Morcar appear to have perpetuated their father's policy of forming alliances with Welsh rulers.⁵⁷ When their brother-in-law, King Gruffudd ap Llewelyn was killed in 1063, his maternal half-brothers Bleddyn and Rhiwallon swore allegiance to Edward the Confessor and Harold, and became rulers in Wales.⁵⁸ It was probably they who led a contingent of Welshmen to support Eadwine and Morcar against Tostig in 1065;⁵⁹ and it was certainly they who joined forces with Eadric *Silvaticus* and attacked a Norman garrison in Hereford in 1067.⁶⁰ Bleddyn also mobilized a 'great army of Welshmen' to support the abortive rebellion led by Eadwine and Morcar in 1068; and this army may have been active in north-west Mercia in late 1069, for in early 1070, King William led a punitive expedition against the Welsh and the men of Chester who had been besieging Shrewsbury.⁶¹ In addition, Orderic says that Eadwine tried to summon Welsh support during the months before he was killed.⁶² Alliances with the Welsh had been important among the house of Leofwine's survival strategies; the creation of marcher earldoms deprived it of that source of security.

Eadwine and Morcar also failed to exercise meaningful power within their earldoms in the aftermath of Hastings. Chapter 3 argues that towns

⁵⁵ Round, *VCH Worcestershire*, i. 240; Wightman, 'Palatine Earldom', 14–16.

⁵⁶ Above, 27.

⁵⁷ Maund, *Ireland, Wales and England*, 138–40.

⁵⁸ ASC D s.a. 1063. For Bleddyn and his dynasty, see Maund, *Ireland, Wales and England*, 68–76.

⁵⁹ ASC D s.a. 1065.

⁶⁰ ASC D s.a. 1067; JW s.a. 1067 (iii. 4).

⁶¹ OV, ii. 216, 234.

⁶² OV, ii. 258.

were important focal points of earls' power.⁶³ It follows that Eadwine's authority must have been severely compromised by the construction of castles in Midland towns: at Warwick, Nottingham, and Lincoln in 1068, at Shrewsbury in about 1069, at Stafford and Chester in 1070. The castellans to whom these castles were entrusted—men such as Henry, son of Roger de Beaumont in Warwick and William Peverel in Nottingham—were emphatically the king's men, not the earl's. King William also installed Norman sheriffs in Mercia prior to Eadwine's fall. This may have happened in Lincolnshire, Staffordshire, and Derbyshire.⁶⁴ It certainly happened in Worcestershire. According to William of Malmesbury, Urse d'Abetot, newly appointed sheriff of Worcestershire, built a castle so close to the monastic church of Worcester that it encroached upon its cemetery, causing Archbishop Ealdred to utter a famous curse: 'Hattest þu Urs, haue þu Godes kurs'.⁶⁵ This is strong evidence that Urse was appointed before 11 September 1069, when Ealdred died.

The fact that Eadwine's name does not occur in any of the royal charters relating to the Midlands issued before 1071 is consistent with this evidence.⁶⁶ As it happens, the only exception proves the rule. The Westminster archive preserves a writ of King William written in Old English addressed to Bishop Leofwine and Earl Eadwine and all the thegns in Staffordshire. This confirms an earlier writ issued by King Edward, with one significant difference: William's writ commands that Abbot Æthelwig of Evesham and Thorkell the king's reeve should protect the land under the king's authority.⁶⁷ This is striking. Abbot Æthelwig

⁶³ Above, 97–104.

⁶⁴ Thurold was certainly sheriff of Lincolnshire in the early 1070s, and may have been appointed to replace Mærle-Sveinn when he rebelled in 1069: Bates, nos. 177–8, 276; Green, *English Sheriffs*, 54; Green, 'Sheriffs of William the Conqueror', 132. Robert of Stafford had presumably been installed as a royal official in that town, perhaps as sheriff of Staffordshire, before he issued a charter in that name in 1072: R. W. Eyton, 'The Staffordshire Chartulary: Series I of the Ancient Deeds', in *Collections for a History of Staffordshire*, William Salt Archaeological Society 2 (Birmingham, 1881), 178–276, 178 (the same charter is witnessed by two other sheriffs—Urse d'Abetot of Worcestershire and Æthelwine of Warwickshire—and by Æthelwine's son, Thorkell of Warwick). Robert of Stafford was probably the 'R. uicecomes' addressed in Bates, no. 265, a Staffordshire writ datable 1072 × 1085. If, as seems likely, Bates, no. 33 was issued shortly after the death of Lady Godiva in 1067, it would follow that Henry de Ferrers and Harding the sheriff were installed in Derbyshire very early in William's reign.

⁶⁵ WM, GP, 384.

⁶⁶ These include Bates, nos. 216, 232, 295, 296, 297; nos. 131, 132, and 276 may also date to this period.

⁶⁷ Bates, no. 292; cf. S 1140.

was one the few Englishmen who prospered within the Conqueror's regime, and exercised considerable authority in the west Midlands until he died in February 1078.⁶⁸ The other addressee can be identified as Thorkell of Warwick, who has entered student folklore as being one the few English tenants-in-chief in 1086.⁶⁹ In short, although Eadwine is named in the address clause of the writ in question, its implementation appears to have been entrusted to two English quislings. Eadwine may have retained the rank of earl in theory, but his powers were in practice delegated to others prior to 1071.

Morcar's authority in Northumbria was also severely restricted insofar as it was manifest at all between 1066 and 1071. He certainly had no authority north the Tyne, since this part of the Northumbrian earldom was assigned to Copsig, Osulf, Gospatric and Robert de Commynes in turn before January 1069. It is also improbable that he exercised meaningful authority in the earldom between the Tyne and Humber after 1066. The only evidence that he did so is a writ of King William, which was addressed to Earl Morcar and Gamall son of Osbern and all his barons in Yorkshire, giving Archbishop Ealdred's permission to draw up a *privilegium* for the lands belonging to the church of St John of Beverley. The writ is undated, and survives in a fourteenth-century cartulary copy; but it is almost certainly based on an authentic document written before Ealdred's death on 11 September 1069.⁷⁰ This is sufficient to suggest that Morcar retained nominal control of his earldom in Northumbria for a short period after he returned from Normandy in December 1067. However, Morcar's name does not occur in the address clause of two

⁶⁸ For Æthelwig, see Darlington, 'Æthelwig, Abbot of Evesham', and for the date of his death see H. B. Clarke, 'The Early Surveys of Evesham Abbey: an Investigation into the Problem of Continuity in Anglo-Norman England', University of Birmingham PhD thesis (1977), 32–33. An important passage in the life of Abbot Æthelwig preserved in the Evesham Chronicle (*Evesham*, 162) says that King William entrusted Æthelwig with jurisdiction over the following shires: Worcestershire, Gloucestershire, Oxfordshire, Warwickshire, Herefordshire, Staffordshire and Shropshire. Hemming describes Æthelwig as 'judex fere totius Anglie' and says that his power was such that even the French feared him: *HC*, 269–71. This suggests that Æthelwig played an important role in the administration of Mercia during the early years of William's reign; the difficulty is determining when. According to J. Hunt, *Lordship and Landscape: A Documentary and Archaeological Study of the Honor of Dudley, c. 1066–1322*, BAR British Series 264 (Oxford, 1997), 14: 'it is unclear how early Abbot Æthelwig of Evesham was acting as king's justiciar in region but if it was before c. 1070 there is no reason to assume that this was to the exclusion of Edwin's influence in the earldom'. However, Bates no. 292 strongly suggests that Æthelwig was already exercising power as a royal official in the west Midlands before Eadwine's fall.

⁶⁹ Above, 246–7.

⁷⁰ Bates, no. 32.

other Yorkshire writs which also appear to have been issued before Ealdred's death.⁷¹ Nor is he mentioned in any of the narrative sources which describe the northern rebellions of 1068–70. Indeed, insofar as Yorkshire was governed at all between these dates, it would appear that royal power there was delegated to Richard fitz Richard, castellan of York, and William Malet, sheriff of Yorkshire.⁷² In short, it is improbable that Morcar exercised power in Northumbria at any stage from the summer of 1068 onwards.

In addition, Eadwine and Morcar probably lost control of many of their estates before they rebelled in 1071. Domesday Book makes it possible to establish how the Leofwinesons' estates had been redistributed by 1086 with great precision. Unfortunately, the process by which this massive redistribution of landed wealth was put into effect is, for the most part, impossible to date. A passage in Orderic's *Historia* supplies one of the few chronological indicators:

Rex Guillelmus deiectis ut diximus Merciorum maximis consulibus, Eduino scilicet interfecto, et Morcaro in uinculis constricto, adiutoribus suis inclitas Angliæ regiones distribuit, et ex infimis Normannorum clientibus tribunos et centuriones ditissimos erexit.

[After King William had defeated the leading Mercian earls as I have related—Eadwine being dead, and Morcar languishing in prison—he divided up the chief provinces of England amongst his followers, and made the humblest of the Normans men of wealth, with civil and military authority.]⁷³

Orderic then launches into his famous account of how 'extranei diuitis Angliæ ditabantur' ('foreigners grew wealthy on the spoils of England').⁷⁴ Given the force of Orderic's prose, and the paucity of alternative sources, it is not surprising that it has tended to anchor modern accounts of the Norman colonization of England. However, it is important to register that Orderic was writing a long time after the events he described, and was no longer following the now-lost ending of William of Poitiers's *Gesta Guillelmi*.⁷⁵ We should therefore leave open the possibility that Orderic may have been simplifying a more complex reality when he asserted that the redistribution of the Leofwinesons' lands occurred after 1071.

⁷¹ Bates, nos. 31 and 351.

⁷² For William Malet, see C. Hart, 'William Malet and his Family', *ANS* 19 (1997), 123–65; Keats-Rohan, 'Domesday Book and the Malets'; P. R. Newman, 'The Yorkshire Domesday and the 'Lost Fee' of William Malet', *ANS* 22 (2000), 261–77; K. S. B. Keats-Rohan, 'Malet, William (d. 1071?)', in *ODNB*.

⁷³ OV, ii. 260–1.

⁷⁴ OV, ii. 260–70, at 266–7.

⁷⁵ OV, ii. 258.

Table 7.1. The Leofwinesons' successors

[illegible]

Canons of Bayeux	13	—	—	—	—	—	—	—	13	Cam
Robert, count of Mortain	—	8	—	3	—	—	—	—	11	Yks
Otto the goldmith	10	—	—	—	—	—	—	—	10	Ess
Bury St Edmunds	2	—	—	—	7	—	—	—	9	Nth
Robert of Stafford	—	9	—	—	—	—	—	—	9	Sts
Ralph de Limesy	—	8	—	5	—	—	—	—	13	War, Nth
Burton Abbey	2	—	2	—	—	—	3	—	7	War, Sts, Dby
Countess Judith	—	—	—	7	—	—	—	—	7	Lin
Thorkell of Warwick	1	5	—	—	—	—	—	—	6	War
Alfred of Lincoln	—	—	—	6	—	—	—	—	6	Lin
Ogier the Breton	—	—	—	5	—	—	—	—	5	Lin
Robert de Beaumont	3	2	—	—	—	—	—	—	5	War
Edith of Bickmarsh	—	—	—	—	—	—	—	4	4	War
Thomas, archbishop of York	—	—	—	4	—	—	—	—	4	Lin
Urse d'Abetot	—	—	—	—	—	—	4	—	4	Wor
Robert Gernon	—	—	—	—	—	4	—	—	4	Ess
Coventry Abbey	—	—	—	—	—	—	—	3	3	War
Gerald the Marshal	3	—	—	—	—	—	—	—	3	Sfk
William Peverel	—	—	—	3	—	—	—	—	3	Ntt
Leofgifu the nun	—	—	—	—	—	—	2	—	2	War
Roger de Rames	1	—	—	—	—	—	—	—	1	Sfk
Robert fitz Corbucion	1	—	—	—	—	—	—	—	1	Ess
Ralph Paynel	—	—	—	1	—	—	—	—	1	Lin
St Remigius, Reims	1	—	—	—	—	—	—	—	1	Sts

Total	731	794	23	1,038	84	48	117	22	2,857
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It is demonstrable that Eadwine and Morcar lost at least some of their estates before that date, for some of them had passed into the hands of Earl William fitz Osbern before he died at Cassel on 22 February 1071. Domesday Book records that Earl Morcar held Eardisland in Herefordshire *TRE*, but this estate must have been controlled by Earl William before he died, for the relevant entry says that the churches and tithes this estate were assigned to St Mary's Cormeilles in Normandy, which was one of his foundations.⁷⁶ Earl William also seized five hides at Suckley in Worcestershire which formed part of Eadwine's manor at Bromsgrove in Worcestershire.⁷⁷ It is unlikely that these were isolated cases. If Gerbod, Hugh, and Roger were indeed installed in Cheshire and Shropshire before 1071, Eadwine would have suffered many more such losses, for a substantial proportion of his estates lay in those two shires.

The Leofwinesons' network of religious affiliation and monastic patronage also collapsed between 1066 and 1071. Earl Leofric's nephew and namesake had been one of the focal points of this network, holding the abbacies of Peterborough, Crowland, Thorney, Burton and Coventry in plurality.⁷⁸ Shortly after he died on 31 October 1066, his family lost control of these monasteries. Abbot Brand, who succeeded Leofric at Peterborough, was an Englishman; but his decision to seek confirmation of his election from Edgar Ætheling in 1066 incurred King William's wrath, and when Brand died on 27 November 1069 he was replaced by Turolf, a belligerent monk of Fécamp who is said to have 'behaved more like a knight than an abbot'.⁷⁹ Leofric's deputy at Thorney, a Dane named Siward, was replaced as abbot by Fulcard, a Fleming monk of St Bertin, in about 1068.⁸⁰ Abbot Wulfketel of Crowland had been appointed in the early 1060s and remained in office until Christmas 1085, but there is no evidence to show that he was a Leofwineson adherent.⁸¹ Similarly, an Englishman named Beorhtric succeeded Leofric as abbot of Burton; but he had previously been abbot of Malmesbury, and again there is no evidence that he was sympathetic to the house of Leofwine.⁸² The abbacy of Coventry probably passed to Leofwine, bishop of Lichfield who did have close connections with the earls of Mercia: he had been the first abbot of Coventry and was

⁷⁶ GDB 197d (Herefordshire 1:6).

⁷⁷ GDB 172b (Worcestershire 1:1b).

⁷⁸ Above, 190–5.

⁷⁹ *ASC* E s.a. 1066, 1069; *Hugh Candidus*, 76–7; *WM*, *GP*, 628; *HRH*, 60; Bates, no. 216.

⁸⁰ *HRH*, 74.

⁸¹ *HRH*, 42.

⁸² *WM*, *GP*, 628; *HRH*, 31.

the son of one of Earl Leofric's most prominent retainers. However, presumably for precisely that reason, he did not enjoy favour within the Conqueror's regime for long: as we have seen, he was deposed at the council of Winchester at Easter 1070, and was forced to resign his see at Easter the following year before returning to Coventry.⁸³ Scholars have sometimes puzzled over why this happened.⁸⁴ However, the fact that Leofwine was a prominent member of the Leofwineson affinity makes the matter clear: Leofwine was sacked on trumped-up charges shortly before Eadwine and Morcar's last rebellion. The Leofwinesons also lost an ally in the east Midland see when Bishop Wulfwig of Dorchester died in 1067. His replacement, Remigius, a monk of Fécamp, promptly absorbed the church of Stow St Mary into his lordship, together with the estates which had been set aside for its endowment by Earl Leofric and Godiva.⁸⁵ In the west Midlands, Eadwine and Morcar could scarcely hope for much support from Æthelwig, abbot of Evesham or Wulfstan, bishop of Worcester. The former was too preoccupied in building up his own power base in Mercia to care much for its former earl, and the latter held Eadwine and Morcar in low regard as despoilers of Worcester property.

The Leofwinesons' network of clients and commended men also came under severe pressure and eventually collapsed between 1066 and 1071. Eadwine and Morcar were not alone in this regard. The process by which the Normans secured the conquest of England placed tremendous strain on the relationships between all English lords and their men, for it became increasingly difficult for the former to protect the latter. Several entries in Domesday Book capture the resulting dilemma, referring to Englishmen who sought the protection of new lords in the aftermath of the conquest.⁸⁶ A revealing passage in Hemming's *codicellus* shows that even Bishop Wulfstan found it difficult to protect his men from the Normans, causing many of them to turn to Abbot Æthelwig of Evesham with their land.⁸⁷ Similar pressures weakened the bonds

⁸³ *Letters of Lanfranc*, nos. 2 and 27. The vacant see was administered by Bishop Wulfstan until Bishop Peter was installed in 1072: WM, VW, 64. For Leofwine's connections with Earl Leofric and his family, see above, 155, 240–1.

⁸⁴ For example, Franklin (*EEA* 14, p. xxviii) concludes his account of Leofwine's deposition by observing that 'the story is a puzzle however it is viewed'.

⁸⁵ Bates, nos. 276–7; D. Bates, *Bishop Remigius of Lincoln 1067–1092* (Lincoln, 1992), 30–2.

⁸⁶ R. Abels, 'Sheriffs, Lord-Seeking and the Norman Settlement of the South-East Midlands', *ANS* 19 (1997), 19–50.

⁸⁷ *HC*, 271; above, 176.

between Eadwine and Morcar and their men. The fact that they no longer enjoyed political clout either at the court or at the shire courts within their earldoms must have brought the utility of their lordship into doubt, and their failure to protect their men during the harrying of the north in 1069–1070 must have precipitated a crisis of confidence in their lordship.⁸⁸

It also became apparent that Eadwine and Morcar could not prevent Normans from despoiling their men's land. Domesday Book proves that virtually all of the estates held by the Leofwinesons' commended men in 1066 were held by other lords in 1086. The exceptions conform to a pattern which recent research has made familiar: Englishmen who retained control over some of their property after the Conquest were often minor royal officials—men who made a valuable contribution to the new regime by transferring the technologies of the Anglo-Saxon state to its new masters.⁸⁹ This presumably explains why Ælfgar's man, Ulfkell of Framingham, retained partial control of his estates, for Ulfkell seems to have served Earl Harold, Earl Ælfgar, Earl Ralph de Gael and Roger Bigod the sheriff in Norfolk, perhaps as port-reeve in Norwich.⁹⁰ It would also explain why Earl Leofric's man, Leofwine of Alveston in Warwickshire, held on to some of his property in 1086, for Leofwine was almost certainly the brother of Æthelwine sheriff of Warwickshire and the uncle of Thorkell of Warwick.⁹¹ These men were fortunate. An entry in the Worcestershire Domesday describes the deathbed bequest made by Wulfwine, one of the most prominent members of Earl Leofric's household. Since this bequest was made in the presence of his son Leofwine, bishop of Lichfield, Wulfwine presumably died before 1070–1 when Leofwine was deposed. His dying wishes were not respected. These were that his estate at Selly Oak should be held by his wife for as long as she lived before reverting to the church (presumably Lichfield) from which it had been loaned; but in 1086,

⁸⁸ For the plausible suggestion that the refugees at Evesham in 1070 included many of Eadwine's men and their families, see Williams, *ENC*, 53.

⁸⁹ Williams, *ENC*, 98–125.

⁹⁰ In 1086, Ulfkell held estates at Framingham and Norton from Roger Bigod which he had held freely *TRE*: LDB 176a, 177a, and 182b (Norfolk 9: 33, 55, 109). Ulfkell of Framingham may be identical with the man of that name who held land at Shotesham from Robert Malet and Larling as a minor tenant-in-chief in 1086; this Ulfkell also held these estates freely *TRE*: LDB 154a (Norfolk 7:5), 270b (Norfolk 58:1). For Ulfkell, see above, 217–19.

⁹¹ GDB 238c (Warwickshire 3:3–4), 244c (Warwickshire 44:11–12); Williams, 'Vicomital Family'; above 245–7.

the estate was held William fitz Ansculf, and by one of his men from him.⁹² By that date, Wulfwine's substantial holding had been carved up among William fitz Ansculf (five estates including Selly Oak), Earl Roger (seven estates), Thorkell of Warwick (three estates) and Robert of Stafford (two estates). Norman colonization likewise prevented the will of Ulf and Madeselin from taking effect. Ulf son of Tope was a substantial Lincolnshire landholder who was closely connected with the house of Leofwine. His will, which was drawn up between 1066 and 1069, includes bequests in favour of Peterborough, Crowland and St Mary's Stow, and disposes of several estates held by Earl Morcar *TRE*. None of these estates were held by their intended beneficiaries in 1086, by which time Ulf's holding had been divided among a dozen or so different lords.⁹³ The failure of these bequests to take effect suggests that the Leofwinesons' interdependent networks of religious and secular patronage began to unravel at about the same time.

It is usually impossible to determine precisely when the Leofwinesons' commended men were dispossessed, but the fact that Earl William held some of their land proves that this sometimes occurred before February 1071 at the latest. The Herefordshire Domesday records that five thegns held ten hides at Feckenham from Eadwine *TRE* and could go where they would with their land, and that under them there were four *milites* as free as themselves. This estate was held by the king in 1086, and by Earl William before 1071, for he is said to have given half a hide to Jocelyn the Hunter, and to have granted the tithe of Feckenham to his foundation at Lyre.⁹⁴ Alweald, a thegn of Earl Eadwine, held an estate at Thickenappletree in Worcestershire which passed to William's man, Hugh Lasne, and it is a reasonable guess that he acquired it with the help of his lord.⁹⁵ According to Hemming, William's sheriff Ralph de Bernay drew on his lord's support in seizing Alton-in-Rock in Worcestershire from Godric, whom Domesday identifies as a thegn of Earl Ælfgar.⁹⁶ He also says that William himself seized four estates in Worcestershire

⁹² GDB 177a (Worcestershire 23:1).

⁹³ *Wills*, no. 39, pp. 94–7, 207–12.

⁹⁴ GDB 180c (Herefordshire 1:40).

⁹⁵ GDB 177d (Worcestershire 27:1). This entry does not describe Alweald as Eadwine's man, but another entry does (GDB 172b (Worcestershire 1:1c), and Hemming (*HC*, 260–1) says that Thickenappletree was despoiled from the church of Worcester by Earngeat son of Grim with the help of his lord, Earl Leofric. It is therefore possible that Earngeat was Alweald's father. For Hugh Lasne, see Lewis, 'Norman Settlement of Herefordshire', 206–7.

⁹⁶ *HC*, 255; GDB 176b (Worcestershire 15:4).

from Godric's father, Æthelric.⁹⁷ These cases are unlikely to have been exceptional: they are more likely to represent chance glimpses of a much wider process of spoliation which Eadwine was powerless to prevent.

Eventually, some of Eadwine's men lost patience with their lord. The *Anglo-Saxon Chronicle*, Hemming and John of Worcester all agree that Eadwine was treacherously killed by his own men; and although Orderic says that he died with twenty *milites* fighting desperately to the last, he nevertheless says that he was betrayed by three brothers 'qui ei familiares præcipuique satellites erant' ('who were his most intimate servants').⁹⁸

Morcar's last few days of freedom were spent at Ely with the individual who is most intimately associated with English resistance to the earliest years of colonial England: Hereward the outlaw. This is unlikely to have been coincidence. Chapter 6 established that the historical Hereward was closely connected with the house of Leofwine: he held land from Peterborough and Crowland, two of the houses which had formed part of Abbot Leofric's monastic empire; he held land in Lincolnshire in close proximity to estates held by Earl Morcar *TRE*; and he probably held one of the bookland estates which had been granted to Ealdorman Leofwine. These connections help to explain his actions in 1070 and 1071. Hereward must have known that the appointment of Abbot Turolf jeopardized his tenure of the estates he held from Peterborough, for Turolf was almost certain to use these estates to reward his own knights. Hereward would also have been anxious to protect the treasures which had been bestowed upon Peterborough by Abbot Leofric, partly because of their inherent value, but partly too because they had been given to the abbey by his lord. This helps to explain why Hereward and his men descended upon Peterborough and seized its treasure on 2 June 1070 as Turolf and his knights approached. Having done so, it would have been natural for Hereward to seek the protection of a member of the house of Leofwine, so it should occasion no surprise to discover that he was with Morcar at Ely the following year. All this deepens the significance of the fact that Hereward was with Earl Morcar at Ely before he was captured and imprisoned. If indeed Hereward was Morcar's man, the bonds of mutual allegiance and dependence would have been ruptured at the point when Morcar surrendered to King William, abandoning Hereward and his men to their own resources. It is therefore telling that Hereward's heroics began at precisely that moment:

⁹⁷ *HC*, 266–7; Williams, 'Spoliation', 396, 403, 405.

⁹⁸ Above, 280 n. 32; *OV*, ii. 258.

Hi ealle þa eodon þan kyninge on hand: þæt wæs Ægelwine biscop 7 Morkere eorl 7 ealle þa þe mid heom wæron, buton Herewerde anum 7 ealle þe þe mid him ætfleon mihton, 7 he hi ahtlice ut alædde.

[They all surrendered to the king, that is to say Bishop Æthelwine and Earl Morcar and all who were with them, except Hereward alone and those who could escape with him, and he led them out valiantly.]⁹⁹

To summarize and conclude: having fought in at least one of the battles of 1066, and having briefly rallied behind Edgar Ætheling, Eadwine and Morcar submitted to William in late 1066 and early 1067. They were in Normandy as hostages for much of the following year and presumably returned to England with King William in December 1067. During the first few months of 1068 they tried to re-establish control of their earldoms, but their efforts were undermined by newly appointed earls. The king's decision to renege on his promise to allow Eadwine to marry one of his daughters may have contributed to their decision to rebel in the summer of 1068; however, the prospect of losing authority and property in Worcestershire, Shropshire, and Cheshire to newly appointed earls was almost certainly high on their list of grievances. Their own rebellion was short-lived, and they seem to have played no part in subsequent rebellions between the summers of 1068 and 1070. Although they continued to witness some royal diplomas during this period, it is unlikely that they exercised comital authority within their earldoms. Eventually, their position became intolerable and they rebelled again in 1071 with disastrous consequences: Eadwine was betrayed by his own men and beheaded, and Morcar began a life sentence in jail.

Between 1066 and 1071, Eadwine and Morcar lacked influence at the Conqueror's court; their alliances with the Welsh and the house of Bamburgh were smashed; they gradually lost their ability to exercise meaningful power within the shires and towns within their earldoms; they were forced to cede territory and property to the Conqueror's followers; their family's network of monastic clients fell apart; and they proved unable to provide good lordship to their men. In short, all of the power structures which had supported the house of Leofwine between 994 and 1066 buckled and collapsed during the first five years of the Conqueror's reign, and this explains why the house itself eventually fell.

⁹⁹ *ASC D s.a. 1071; MS D*, ed. Cubbin, 85.

Appendices

APPENDIX 1. OTHER MEMBERS OF THE HOUSE OF LEOFWINE

This appendix summarizes what is known about members of the house of Leofwine other than those treated in Chapter 2.

1. Godwine and Æthelwine. A passage in Hemming's *codicellus* records that Earl Leofric's brother, Godwine, held an estate at Salwarpe in Worcestershire from the church of Worcester; that he returned it to the church shortly before he died between 1055 and 1058; that his son Æthelwine, who had been mutilated by the Danes at an earlier date (perhaps in 1014), annexed the estate with the help of his uncle Leofric after his father's death; and that Æthelwine subsequently lost the estate and lived out his life in the hut of an oxherd.¹ Æthelwine can be identified in Domesday Book as the 'Æluuinus cilt' who held five hides at Salwarpe *TRE*.²
2. Godgifu (Lady Godiva). Domesday Book styles Godgifu 'Comitissa Godeva', and records that she held lands worth more than £100 in Staffordshire, Warwickshire, Shropshire, Worcestershire, Leicestershire, and Nottinghamshire *TRE*.³ This suggests that her family origins lay in the west Midlands. A spurious Crowland charter makes her the sister of a certain Thorold of Bucknall, who is said to have founded a dependent cell of Crowland on his manor at Spalding in 1051, but there is no reliable evidence to corroborate this story.⁴ Several religious houses in the Midlands remembered Lady Godiva for her piety;⁵ and a list of obits preserved in a thirteenth-century Coventry book records that she died on 10 September, 1067.⁶ The legend that 'Lady Godiva' rode naked on horseback through the streets of Coventry to persuade her husband to free the town from shameful and oppressive servitude appears to have originated in the early thirteenth century.⁷

¹ *HC*, 259–60; cf. *ASC CDE s.a.* 1013, 1014 for the mutilation of the hostages given to Swein and Cnut.

² GDB 176a (Worcestershire 14:2).

³ Above, Plate 1, Table 7.1; below, Appendix 3.

⁴ S 1230; A. Williams, 'Godgifu (d. 1067?)', in *ODNB*.

⁵ Above, Chapter 5.

⁶ Oxford, Bodleian Library, MS Douce 139 fo. 1v (above, 43 n. 124): 'Anno m° lxxvii° ... iiii° idus septembris obiit Godiua Comitissa'.

⁷ Williams, 'Godgifu'; Lancaster, *Godiva of Coventry*; D. Donoghue, *Lady Godiva: A Literary History of the Legend* (Oxford, 2003).

3. Abbot Leofric. Earl Leofric's nephew and namesake became abbot of Peterborough in 1052, held several Mercian abbacies in plurality during the 1050s and 1060s, was present at the Battle of Hastings, and died shortly afterwards. The identity of his father is not known, but there are grounds for suspecting he may have been the son of Northman.⁸
4. Ælfgifu, wife of Earl Ælfgar. Domesday Book styles Ælfgifu as 'Ælueua comitissa' and 'mater Morcari comitis', and reveals that she held land in Derbyshire, Hertfordshire, Leicestershire, Northamptonshire, and Suffolk. This suggests that her family roots lay in the east Midlands. It has been suggested, plausibly, that Ælfgifu was the daughter of a prominent east Midland thegn named Morcar and his wife Ealdgyth (see Figure A.1).⁹ Ælfgifu appears to have died between 1066 and 1086, for Domesday Book and an undated writ of the Conqueror both refer to her in the perfect tense.¹⁰ Ælfgifu had three sons by Ælfgar: Burgheard, Eadwine, and Morcar, and a daughter, Ealdgyth.
5. Burgheard. The career of Burgheard is illuminated by an unusually rich and varied collection of materials, which include a charter issued by his father, a transcription of a Latin epitaph taken from his tomb, a richly illuminated gospel book, a description of the sumptuous cover in which this book was originally bound, and a series of entries in Domesday Book. These combine to show that Burgheard died on his way back from Rome, probably in late April or early May 1061, and was buried at St Remigius, Reims; and that his parents made gifts of land and precious objects to Reims for the sake of his soul. Burgheard was probably identical with the thegn of that name who held seven estates in Suffolk, one in Essex, one in Norfolk, and two in Buckinghamshire, and who attracted the commendation of more than 150 free men in Suffolk.¹¹
6. Queen Ealdgyth, Nest and Harold. According to Orderic Vitalis, Ealdgyth, the daughter of Earl Ælfgar and Ælfgifu, was married to Gruffudd ap Llewelyn, king of Wales, until he was killed (on 5 August 1063); and then to Harold son of Godwine, king of England, until he was killed

⁸ Above, 190–5.

⁹ For this identification, see Burton, ed. Sawyer, xlii–xliii. Sawyer (*Anglo-Saxon Lincolnshire*, 140) also suggests that Eadwine and Morcar were half-brothers, pointing out that Domesday specifically refers to the 'mother of Earl Morcar', but not to the mother of Eadwine. But this is weak evidence: it is more likely that the Domesday commissioners chose to style Ælfgifu like this because Morcar remained alive (although imprisoned) in 1086, whereas Eadwine was dead.

¹⁰ GDB 231d (Leicestershire 12:1–2); Bates, no. 33.

¹¹ S 1237; W. M. Hinkle, 'The Gift of an Anglo-Saxon Gospel Book to the Abbey of Saint-Remi, Reims', *Journal of the British Archaeological Association*, 3rd series 33 (1970), 21–35; Baxter, 'The Death of Burgheard son of Earl Ælfgar and its Context'.

(on 14 October 1066).¹² Ealdgyth's marriage to Gruffudd produced a daughter, Nest, who married Osbern fitz Richard; and their daughter, also named Nest (but also known as Agnes), married a marcher baron named Bernard of Neufmarché.¹³ John of Worcester styles Ealdgyth 'Aldgitha regina' ('Queen Ealdgyth') in his annal for 1066; and one of the manuscripts of John's chronicle preserves a genealogy which assigns Ealdgyth a son named Harold.¹⁴ William of Malmesbury also refers to a son of Harold Godwineson named Harold, though he does not identify his mother.¹⁵ It is not known when Ealdgyth died, but a surviving fragment of a lost medieval customary of the abbey of La Chaise-Dieu in the Auvergne records that an English queen named 'Editha' paid for the construction of the monastic dormitory of this abbey, and it is conceivable that this was King Harold's widow.¹⁶

¹² OV, ii. 138, 216; WJ, ii. 160–3; Maund, 'Welsh Alliances'; Maund, *Ireland, Wales and England*, 68–76.

¹³ Lloyd, *History of Wales*, ii. 397; above, Figure 2.1. The marriage between Osbern and Nest is established as follows. First, Gerald of Wales observes that Bernard de Neufmarché 'married Nest, the daughter of Nest, herself daughter of Gruffudd ap Llywelyn, who for so long had oppressed all Wales by his tyranny; she took her name Nest from her mother, but the English changed it and called her Agnes': Gerald of Wales, *Itinerarium Cambriae et Descriptio Cambriae*, in *Giraldi Cambrensis Opera*, ed. J. S. Brewer, J. F. Dimock, and G. F. Warner, 8 vols, Rolls Series 21 (London, 1868), vi. 28–9; trans. L. Thorpe, *Gerald of Wales: The Journey Through Wales and The Description of Wales* (Harmondsworth, 1979), 88–9. Second, Orderic (OV, iv. 124) described Bernard de Neufmarché as the son-in-law of Osbern fitz Richard. Third, the charters of Brecon Priory show that Agnes, the wife of Bernard de Neufmarché, gave to the priory the manor of Berrington near Tenbury—an estate held by Osbern fitz Richard in 1086 and by his father Richard fitz Scrob in 1066: *Monasticon*, iii. 244, 264; GDB 176c (Worcestershire 19:1). Fourth, an estate at Binley in Warwickshire was held by 'Aldgid uxor Grifin' (surely Queen Ealdgyth, wife of King Gruffudd) *TRE*, and was later sold by Osbern fitz Richard to the abbot of Coventry, a monastery founded by his wife's maternal ancestors: GDB 238d (Warwickshire 6:5).

¹⁴ JW s.a. 1066 (ii. 604); Dublin, Trinity College MS 502, fos. 264v and 265r; printed *Florentii Wigorniensis Monachi, Chronicon ex Chronicis*, ed. B. Thorpe, 2 vols., English Historical Society (London, 1848–9), i. 275–6 'comes Haroldus ... qui de regina Aldgitha, comitis Ælfgari filia, habuit filium Haroldum'.

¹⁵ WM, *GR*, 480, 570 (with notes in vol. ii. 245–6); Freeman, *NC*, ii. 43, iii. 142, 791–3; iv. 142–3, 159, 752–5; Williams, 'Land and Power', 176; Walker, *Harold*, pp. xiv, 127–30, 187; Barlow, *Godwins*, 120–2.

¹⁶ G. Beech, 'England and Aquitaine in the Century Before the Norman Conquest', *ASE* 19 (1991), 81–101, at 94–5; but see above, 127.

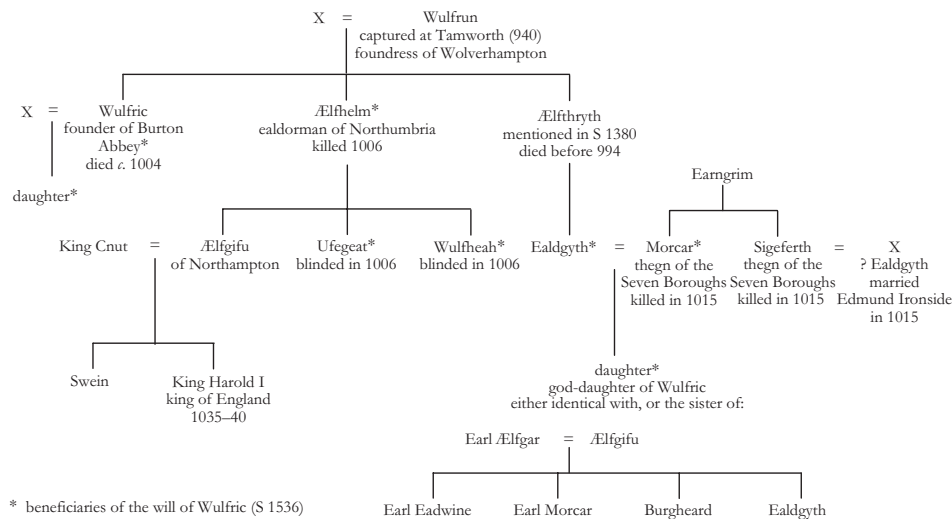


Figure A.1. The family and connections of Ælfifu, wife of Earl Ælfgar.

APPENDIX 2. EVIDENCE RELATING TO THE STRUCTURE OF MIDLAND EARLDOMS DURING THE REIGN OF EDWARD THE CONFESSOR

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Shire	Earl	Dates	H	C	£	Narrative evidence	Writ(s)	Charters and cartularies	Third penny	Comital manors ¹	Urban presence	Religious patronage	Commended men	Other family landholdings
I. Core shires														
North-west Mercia														
Cheshire	Leofric	? late 1020s–1057	0	0	0	Yes ²	Yes ³					Yes ⁴		
	Ælfgar	?1057–c. 1062	0	0	0									
	Eadwine	c. 1062–late 1060s	98	0	142				Yes ⁵	Yes ⁶	Yes ⁷		Yes ⁸	
	Morcar	—	11	0	10									Yes ¹⁰
	Harold	—	4	0	1									
Derbyshire	Leofric	? late 1020s–1057	0	0	0									Yes ¹¹
	Ælfgar	?1057–c. 1062	0	38	38				? ¹²		Yes ¹³			Yes ¹⁴
	Eadwine	c. 1062–late 1060s	0	6	59									
	Siward	—	0	10	4									
	Waltheof	—	0	4	5									
Shropshire	Leofric	? late 1020s–1057	13	0	21							Yes ¹⁶		Yes ¹⁷
	Ælfgar	1057–c. 1062	0	0	0									
	Eadwine	c. 1062–late 1060s	103	0	147					Yes ¹⁸	Yes ¹⁹			

Staffordshire	Morcar	—	47	0	53									
	Harold	—	8	0	8									
	Leofric	? late 1020s–1057	0	0	0	Yes ²⁰					Yes ²¹		Yes ²²	
	Ælfgar	1057–c.1062	115	0	146		Yes ²³	?24		Yes ²⁵	Yes ²⁶	Yes ²⁷		
	Eadwine	c.1062–late 1060s	20	0	9	Yes ²⁸		?29		?30				
	Morcar	—	3	0	10									
Warwickshire	Harold	—	3	0	5									
	Leofric	? late 1020s–1057	0	0	0	Yes ³¹	Yes ³²				Yes ³³	Yes ³⁴	Yes ³⁵	
	Ælfgar	1057–c.1062	11	0	10	Yes ³⁶	Yes ³⁷							
	Eadwine	c.1062–late 1060s	111	0	84			Yes ³⁸	Yes ³⁹	Yes ⁴⁰			Yes ⁴¹	
	Ralph	—	13	0	9		?42						Yes ⁴³	
	Odda	—	0	0	0		?44							
East Anglia and the Eastern Counties														
Cambridgeshire														
	Harold	1045–51, 1052–3	24	0	41	Yes ⁴⁵								Yes ⁴⁶
	Ælfgar	1051–2, 1053–7	19	0	58	Yes ⁴⁷								Yes ⁴⁸
	Gyrth	c.1057–1066?	17	0	24								Yes ⁴⁹	
	Waltheof	c.1066–1070s?	0	0	0								Yes ⁵¹	
	Tostig	—	0	0	0								Yes ⁵²	
Essex														
	Harold	1045–51, 1052–3	197	0	410	Yes ⁵³	Yes ⁵⁴	Yes ⁵⁵		Yes ⁵⁶	Yes ⁵⁷	Yes ⁵⁸	Yes ⁵⁹	
	Ælfgar	1051–2, 1053–7	36	0	114	Yes ⁶⁰			Yes ⁶¹	?62		Yes ⁶³	Yes ⁶⁴	
	Leofwine	1057–1066?	19	0	50									
	Gyrth	—	4	0	6									
	Waltheof	—	11	0	15									
Norfolk														
	Harold	1045–51, 1052–3	0	46	122	Yes ⁶⁵	Yes ⁶⁶	Yes ⁶⁷		Yes ⁶⁸	Yes ⁶⁹		Yes ⁷⁰	

Shire	Earl	Dates	H	C	£	Narrative evidence	Writ(s)	Charters and cartularies	Third penny	'Comital manors'	Urban presence	Religious pratonage	Commended men	Other family landholdings
Suffolk	Ælfgar	1051–2, 1053–7	0	6	33	Yes ⁷¹	Yes ⁷²						Yes ⁷³	Yes ⁷⁴
	Gyrth	1057–66	0	38	81	Yes ⁷⁵	Yes ⁷⁶		?		Yes ⁷⁸		Yes ⁷⁹	
	Harold	1045–51, 1052–3	0	20	30	Yes ⁸⁰	Yes ⁸¹	Yes ⁸²		Yes ⁸³			Yes ⁸⁴	
Northumbria and the north	Ælfgar	1052, 1053–57	0	13	11	Yes ⁸⁵	Yes ⁸⁶			Yes ⁸⁷			Yes ⁸⁸	Yes ⁸⁹
	Gyrth	c. 1057–1066	0	21	24		Yes ⁹⁰		Yes ⁹¹		Yes ⁹²		Yes ⁹³	
Yorkshire	Siward	c. 1033–1055	0	118	208					Yes ⁹⁴	Yes ⁹⁵	Yes ⁹⁶		
	Tostig	1055–1065	0	211	132	Yes ⁹⁷	Yes ⁹⁸		?	Yes ¹⁰⁰	Yes ¹⁰¹			
	Morcar	1065–late 1060s	0	390	628	Yes ¹⁰²				Yes ¹⁰³	Yes ¹⁰⁴			
	Eadwine	1065–late 1060s?	0	194	195	Yes ¹⁰⁵				Yes ¹⁰⁶	Yes ¹⁰⁷			
	Harold	—	0	176	102					Yes ¹⁰⁸	Yes ¹⁰⁹			
	Waltheof	—	0	142	23									
	Siward	?					Yes ¹¹⁰							
'Cumbria'	Tostig	1055–1065	0	391	0									
'Lancashire'														
South-west Midlands														
Gloucestershire	Godwine	? before 1043	0	0	0									Yes ¹¹¹
	Swein	1043–47?, 1050–1	—	—	—	Yes ¹¹²								
	Odda	1052–6?	0	0	0	Yes ¹¹³		Yes ¹¹⁴		Yes ¹¹⁵		Yes ¹¹⁶		

	Ralph	1052–7?	20	0	40					
	Harold	c. 1056–1066	35	0	63	Yes ¹¹⁷	Yes ¹¹⁸	Yes ¹¹⁹	Yes ¹²⁰	
	Tostig	—	0	0	0				Yes ¹²¹	
South-east Midlands										
Bedfordshire										
	Ralph	1049–1057?	0	0	0		Yes ¹²²			
	Gyrth	c. 1057–mid 1066s?	10	0	30		? ¹²³		Yes ¹²⁴	
	Waltheof	mid 1060s–1070s?	0	0	0		? ¹²⁵	Yes ¹²⁶	Yes ¹²⁷	
	Tostig	—	28	0	36				Yes ¹²⁸	
	Ælfgar	—	0	0	0				Yes ¹²⁹	
	Harold	—	0	0	0				Yes ¹³⁰	
Buckinghamshire										
	Thuri	late 1030s–mid 1040s?				Yes ¹³¹				
	Ralph	1049–1057?	24	0	19					Yes ¹³²
	Leofwine	c.1057–1066	57	0	40			Yes ¹³³	Yes ¹³⁴	
	Tostig	—	59	0	56				Yes ¹³⁵	
	Harold	—	75	0	48		Yes ¹³⁶		Yes ¹³⁷	
	Ælfgar	—	35	0	26				Yes ¹³⁸	Yes ¹³⁹
	Eadwine	—	0	0	0				Yes ¹⁴⁰	
	Morcar	—	0	0	0				Yes ¹⁴¹	
Hertfordshire										
	Thuri	late 1030s–mid 1040s?	—	—	—	Yes ¹⁴²				
	Beorn	1045–1049?	—	—	—	Yes ¹⁴³				
	Ralph	1050–1057?	0	0	0					
	Leofwine	c. 1057–1066	4	0	4	Yes ¹⁴⁴		Yes ¹⁴⁵	Yes ¹⁴⁶	
	Harold	—	40	0	78		Yes ¹⁴⁷	Yes ¹⁴⁸	Yes ¹⁴⁹	
	Tostig	—	10	0	20					

Shire	Earl	Dates	H	C	£	Narrative evidence	Writ(s)	Charters and cartularies	Third penny	'Comital manors'	Urban presence	Religious patronage	Commended men	Other family landholdings
Middlesex	Gyrth	—	0	0	0								Yes ¹⁵⁰	
	Ælfgar	—	0	0	0								Yes ¹⁵¹	Yes ¹⁵²
	Beorn	1045–9?	—	—	—	Yes ¹⁵³								
	Ralph	1049–1057?	0	0	0									Yes ¹⁵⁴
	Leofwine	c.1057–1066	100	0	60		Yes ¹⁵⁵			Yes ¹⁵⁶			Yes ¹⁵⁷	
	Harold	—	30	0	25		Yes ¹⁵⁸						Yes ¹⁵⁹	
	Ælfgar	—	105	0	120					Yes ¹⁶⁰				
II. Debatable shires			5	0	26									
Herefordshire														
	Hrani	early 1040s?	—	—	—	Yes ¹⁶¹		Yes ¹⁶²						
	Swein	1043–7?, 1050–51	—	—	—	Yes ¹⁶³		Yes ¹⁶⁴						
	Tofig?	1047–1049?	—	—	—			Yes ¹⁶⁵						
	Odda?	1052–1056?	0	0	0								Yes ¹⁶⁶	Yes ¹⁶⁷
	Ralph?	1052–1057?	0	0	0	Yes ¹⁶⁸								
	Harold	c. 1056–1066	184	0	149	Yes ¹⁶⁹	Yes ¹⁷⁰		Yes ¹⁷¹	Yes ¹⁷²	Yes ¹⁷³		Yes ¹⁷⁴	
	Leofric	—	0	0	0							Yes ¹⁷⁵		
	Ælfgar	—	0	0	0								Yes ¹⁷⁶	
	Eadwine	—	5	0	10								Yes ¹⁷⁷	
	Morcar	—	15	0	6									
Huntingdonshire														
	Thuri	early 1040s?	0	0	0		Yes ¹⁷⁸							
	Harold	1045–51, 1052–3?	16	0	10	Yes ¹⁷⁹							Yes ¹⁸⁰	

Lincolnshire	Siward	1051–2?	0	0	0	Yes ¹⁸¹	Yes ¹⁸²		
	Ælfgar	1053–mid 1050s?	8	0	40				
	Tostig	c. 1055–mid 1060s	14	0	12		? ¹⁸³	? ¹⁸⁴	Yes ¹⁸⁵
	Waltheof	mid 1060s–1070s?	3	0	2		? ¹⁸⁶	? ¹⁸⁷	Yes ¹⁸⁸ Yes ¹⁸⁹
Leicestershire	Siward	c. 1033–1055	0	0	0				
	Leofric	1052–5?	0	0	0		? ¹⁹⁰		Yes ¹⁹¹
	Tostig	1055–65?	0	0	0	Yes ¹⁹²			
	Morcar	1065–6	0	140	272	Yes ¹⁹³	Yes ¹⁹⁴	Yes ¹⁹⁵	
	Eadwine	1065–6?	0	8	24	Yes ¹⁹⁶			
	Ælfgar	—	0	61	76				Yes ¹⁹⁷
	Harold	—	0	268	197			Yes ¹⁹⁸	
	Waltheof	—	0	27	10				
Northamptonshire	Leofric	?	0	0	0	Yes ¹⁹⁹			Yes ²⁰⁰
	Ælfgar	?	0	0	0				Yes ²⁰¹
	Ralph	?	1	63	31			Yes ²⁰²	
	Morcar	?	2	60	22				
	Harold	?	0	65	40				
	Waltheof	?	0	46	8				
“Rutland”	Leofric	?	0	0	0	Yes ²⁰³			
	Ralph	?	9	0	2	Yes ²⁰⁴		Yes ²⁰⁵	Yes ²⁰⁶
	Ælfgar	?	7	0	12				Yes ²⁰⁷
	Tostig	?	7	0	12	Yes ²⁰⁸			
	Morcar	?	6	0	11				
	Waltheof	early 1060s–1070s?	29	0	24	Yes ²⁰⁹	Yes ²¹⁰	? ²¹¹	Yes ²¹²
	Siward	?	0	0	0	Yes ²¹³			

Shire	Earl	Dates	H	C	£	Narrative evidence	Writ(s)	Charters and cartularies	Third penny	'Comital manors'	Urban presence	Religious pratonage	Commended men	Other family landholdings
Nottinghamshire	Harold	?	0	2	5									
	Waltheof	early 1060s–1070s	0	10	28			Yes ²¹⁴						
	Leofric	?	0	0	0				?	?	?			Yes ²¹⁸
	Ælfgar	?	5	0	11									Yes ²¹⁹
Oxfordshire	Tostig	1055–65?	0	17	24		Yes ²²⁰		Yes ²²¹		Yes ²²²			
	Morcar	1065–1066?	0	9	26				?					
	Godwine	—	0	0	0			Yes ²²⁴						
	Swein	1043–7?, 1050–1	—	—	—	Yes ²²⁵								
Worcestershire	Leofric	1051–2?	0	0	0			Yes ²²⁶						
	Ralph	1052–7?	0	0	0		Yes ²²⁷							
	Ælfgar	c. 1057–62?	24	0	36				?	Yes ²²⁹	Yes ²³⁰			
	Gyrth	?	0	0	0		Yes ²³¹							
	Eadwine	?	35	0	56				?	Yes ²³³			?	
	Tostig	?	11	0	12								?	
	Harold	?	50	0	46					Yes ²³⁶				
	Leofric	late 1020s–1052?	0	0	0			Yes ²³⁷				Yes ²³⁸	Yes ²³⁹	Yes ²⁴⁰
	Odda	early 1050s?	0	0	0			Yes ²⁴¹				Yes ²⁴²		
	Ælfgar	c. 1057–62?	0	0	0	Yes ²⁴³	Yes ²⁴⁴	Yes ²⁴⁵				Yes ²⁴⁶	Yes ²⁴⁷	
	Eadwine	1062–66	42	0	68			Yes ²⁴⁸	Yes ²⁴⁹	Yes ²⁵⁰	Yes ²⁵¹		Yes ²⁵²	?
	Harold	—	16	0	12			Yes ²⁵⁴						
	Ralph	—	0	0	0			Yes ²⁵⁵						Yes ²⁵⁶

Notes to Appendix 2

- ¹ Estates displaying one or more of the characteristics listed above, 141–5.
- ² *ASC* C *s.a.* 1055. ³ S 1000, 1226. ⁴ *JW s.a.* 1057: St John, Chester and St Wærburgh, Chester.
- ⁵ GDB 263c–d (Cheshire 1:8, 1:25), 268b (Cheshire S1:1–7); implicitly GDB 262c–d (Cheshire C:2–25), 268a (Cheshire S3:1–4), 268b (Cheshire S1:4).
- ⁶ GDB 263b (Cheshire 1:1), 263c (Cheshire 1:8), 263d (Cheshire 1:22, 1:25), 266d (Cheshire 14:1, and cf. *ASC* Mercian Register *s.a.* 924 for Farndon), etc.
- ⁷ GDB 263b (Cheshire 1:1), 268b (Cheshire S:1–7); implicitly GDB 262c–d (Cheshire C:2–25): Chester and Nantwich.
- ⁸ GDB 264c (Cheshire 2:22). ⁹ GDB 263b (Cheshire 8:16). ¹⁰ GDB 264c (Cheshire 2:22).
- ¹¹ GDB 280c (Derbyshire S:5): Godiva was assigned sake and soke, the king's two pennies and the earl's third penny while the earl (presumably Leofric?) was alive.
- ¹² GDB 280b (Derbyshire B:1), 280c (Derbyshire S:1). ¹³ GDB 280b (Derbyshire B:14): Derby.
- ¹⁴ GDB 280c (Derbyshire S:5): Ælfgifu named among those who had sake and soke and the king's two pennies.
- ¹⁵ GDB 280b (Derbyshire B:1), 280c (Derbyshire S:1). ¹⁶ *JW s.a.* 1057: Much Wenlock.
- ¹⁷ Godiva held five estates (12 hides, £9) in Shropshire. ¹⁸ GDB 253d (Shropshire 4:1:21).
- ¹⁹ GDB 252c (Shropshire 3b:3) (Shrewsbury), 253d (Shropshire 4:1:25) (Droitwich). ²⁰ *JW s.a.* 1057: Leofric buried at King's Bromley.
- ²¹ GDB 239a (Warwickshire 8:1): Leofric gave Austrey (Warwickshire) to Burton Abbey (in Staffordshire).
- ²² Godiva held four estates (8 hides, £5) in Staffordshire. ²³ S 1237. ²⁴ Third penny of Stafford assigned to 'the earl': GDB 246a (Staffordshire B:12).
- ²⁵ GDB 246d (Staffordshire 1:30–32): Tamworth. Note also the 22 'mansiones de honore comitum' in Stafford: GDB 246a (Staffordshire B:1), though these are not assigned to any particular earl.
- ²⁶ S 1237; GDB 247c (Staffordshire 5:1): St Remigius, Reims. ²⁷ GDB 249d (Staffordshire 12:14). ²⁸ S 1140.
- ²⁹ GDB 246a (Staffordshire B:12); 248d (Staffordshire 11:6–7). ³⁰ *Ibid.* ³¹ S 1099.
- ³² S 1000, 1226, 1394. ³³ S 1000, 1226, and above, 153–63 (Coventry).
- ³⁴ GDB 238c (Warwickshire 3:4), 239b (Warwickshire 12:10), 243c (Warwickshire 29:3).
- ³⁵ Godiva held seven estates (32 hides, £38) in Warwickshire. ³⁶ S 1156. ³⁷ S 1479. ³⁸ GDB 238b (Warwickshire 1:6).
- ³⁹ GDB 238b (Warwickshire 1:1, 1:6). ⁴⁰ GDB 238b (Warwickshire 1:6), 243a (Warwickshire 26:1): Warwick.
- ⁴¹ Ealdgyth held two estates (11 hides, £8) in Warwickshire. ⁴² S 1407.
- ⁴³ Harold son of Earl Ralph: GDB 244a (Warwickshire 38:1–2). ⁴⁴ S 1407. ⁴⁵ *JW s.a.* 1051.

- ⁴⁶ Clarke, *English Nobility*, 182. ⁴⁷ JW *s.a.* 1051; ASC E *s.a.* 1051–3. ⁴⁸ Above, Table 6.1.
- ⁴⁹ Clarke, *English Nobility*, 195. ⁵⁰ Above, 102 n. 181. ⁵¹ Clarke, *English Nobility*, 221–2.
- ⁵² GDB 202b (Cambridgeshire 41:9). ⁵³ JW *s.a.* 1051. ⁵⁴ S 1128. ⁵⁵ S 1519, 1535.
- ⁵⁶ LDB 5a–b (Essex 1:24), 6a (Essex 1:26–7), 7a (Essex 1:28). ⁵⁷ LDB 106b (Essex B:3k): Colchester. ⁵⁸ S 1036: Waltham.
- ⁵⁹ Clarke, *English Nobility*, 184–5. ⁶⁰ JW *s.a.* 1051; ASC E *s.a.* 1051–3.
- ⁶¹ LDB 21b (Essex 15:2). ⁶² LDB 106b (Essex B:3j): Colchester. ⁶³ Above, 216.
- ⁶⁴ Burgheard held Witham, LDB 63b (Essex 32:3). ⁶⁵ JW *s.a.* 1051. ⁶⁶ S 1073, 1074.
- ⁶⁷ S 1519, 1531, 1535(?). ⁶⁸ LDB 235a–b (Norfolk 22:1–8). ⁶⁹ LDB 116a (Norfolk 1:61): Norwich.
- ⁷⁰ Clarke, *English Nobility*, 185–8. ⁷¹ JW *s.a.* 1051; ASC E *s.a.* 1051–3. ⁷² S 1075, 1076, 1077, 1080, 1081, 1082, 1108.
- ⁷³ Above, 216–17. ⁷⁴ Burgheard held Fundenhall: LDB 152b (Norfolk, 6:6). ⁷⁵ *VEdR*, 50.
- ⁷⁶ S 1083, 1085, 1109. ⁷⁷ LDB 117a (Norfolk 1:61), 118a (Norfolk 1:67).
- ⁷⁸ LDB 118a (Norfolk 1:67) and 282a (Suffolk 1:32): Yarmouth. ⁷⁹ Clarke, *English Nobility*, 195–7.
- ⁸⁰ JW *s.a.* 1051. ⁸¹ S 1073, 1074, 1124. ⁸² S 1531, 1535(?).
- ⁸³ LDB 287a–b (Suffolk 1:100–103). ⁸⁴ Clarke, *English Nobility*, 188–91.
- ⁸⁵ JW *s.a.* 1051; ASC E *s.a.* 1051–3. ⁸⁶ S 1070, 1075, 1078, 1079, 1080, 1081.
- ⁸⁷ LDB 289b (Suffolk 1:121): Badmondishfield, described as ‘terra regis de regno’. ⁸⁸ Above, 216.
- ⁸⁹ Ælfgifu held three estates in Suffolk (9 carucates, £33), and Burgheard held seven estates in Suffolk (16 carucates, £33).
- ⁹⁰ S 1083, 1084, 1085, 1109, 1124. ⁹¹ LDB 294a–b (Suffolk 3:55). ⁹² Ibid.
- ⁹³ Clarke, *English Nobility*, 198–200. ⁹⁴ GDB 305a (Yorkshire 4N:1–3). ⁹⁵ ASC CD *s.a.* 1055: Galmanho.
- ⁹⁶ ASC CD *s.a.* 1055. ⁹⁷ *VEdR*, 76; ASC DE *s.a.* 1065. ⁹⁸ S 1067, 1160.
- ⁹⁹ Above, 94 n. 157. ¹⁰⁰ GDB 299a (Yorkshire 1Y:3), 323c (Yorkshire 14E:1).

- 101 *VEdR*, 76; *ASC DE s.a.* 1065: York. ¹⁰² *ASC CDE s.a.* 1065, 1066.
- 103 GDB 299a (Yorkshire 1Y:1), 299b–c (Yorkshire 1Y:4, 1Y:6–10), 323c–324a (Yorkshire 14E:2–9), etc.
- 104 GDB 298c (Yorkshire C:36), 299c (Yorkshire 1Y:10–11): York. ¹⁰⁵ *ASC CDE s.a.* 1065, 1066.
- 106 GDB 299a (Yorkshire 1Y:2), 309a (Yorkshire 6N:1–2), etc. ¹⁰⁷ GDB 298c (Yorkshire C:36): York.
- 108 GDB 305a (Yorkshire 4E:1–2), 321b (Yorkshire 12 W:1), 323d (Yorkshire 14E:8).
- 109 GDB 298b (Yorkshire C:10), 298c (Yorkshire C:36). ¹¹⁰ S 1243.
- 111 Earl Godwine bought an estate at Woodchester for Gytha: GDB 164b (Gloucestershire 1:63).
- 112 *JW s.a.* 1051. ¹¹³ *ASC D s.a.* 1053. ¹¹⁴ S 1408, 1409.
- 115 Williams, *Land, Power and Politics*, 7: Deerhurst. ¹¹⁶ Williams, *Land, Power and Politics*, 12–13: Deerhurst.
- 117 S 1156. ¹¹⁸ GDB 162c (Gloucestershire B:1). ¹¹⁹ Ibid: Winchcombe.
- 120 Clarke, *English Nobility*, 179. ¹²¹ GDB 166d (Gloucestershire 26:2).
- 122 *Rams*, 171–2: grant of Cranfield in Bedfordshire to Ramsey Abbey. ¹²³ Above, 94 n. 159.
- 124 GDB 217d (Bedfordshire 54:1). ¹²⁵ Above, 94 n. 159.
- 126 GDB 210c (Bedfordshire 6:2): grant of land to Bury St Edmund's.
- 127 GDB 213a (Bedfordshire 23:17), 216b (Bedfordshire 40:3), 217d (Bedfordshire 53:31).
- 128 Clarke, *English Nobility*, 193. ¹²⁹ GDB 213b (Bedfordshire 23:20).
- 130 Clarke, *English Nobility*, 182–3. ¹³¹ S 1228.
- 132 Gytha held three estates (23 hides, £19) in Buckinghamshire.
- 133 GDB 143a (Buckinghamshire B:11): Buckingham.
- 134 Clarke, *English Nobility*, 202–3. ¹³⁵ Clarke, *English Nobility*, 192.
- 136 GDB 143c (Buckinghamshire 1:3); above, 143 n. 77.
- 137 Clarke, *English Nobility*, 177–8. ¹³⁸ GDB 151c (Buckinghamshire 39:1).

- ¹³⁹ Burgheard held two estates: GDB 146d–147a (Buckinghamshire 13:2–3).
¹⁴⁰ GDB 147b (Buckinghamshire 14:25), 148c (Buckinghamshire 17:7).
¹⁴¹ GDB 149d (Buckinghamshire 23:2). ¹⁴² S 1228. ¹⁴³ S 1122, 1123.
¹⁴⁴ S 1134, 1135. ¹⁴⁵ GDB 132a (Hertfordshire B:6): Hereford.
¹⁴⁶ Clarke, *English Nobility*, 202. ¹⁴⁷ GDB 132c (Hertfordshire 1:3).
¹⁴⁸ GDB 132a (Hertfordshire B:6): Hertford. ¹⁴⁹ Clarke, *English Nobility*, 175–7.
¹⁵⁰ Clarke, *English Nobility*, 194–5. ¹⁵¹ Above, 226.
¹⁵² Ælfgifu held Kimpton: GDB 134d (Hertfordshire 5:24). ¹⁵³ ASC E *s.a.* 1049 (lithsmen of London).
¹⁵⁴ Ralph's son Harold held Ebury: GDB 129c (Middlesex 9:1). ¹⁵⁵ S 1130, 1132, 1133.
¹⁵⁶ GDB 127a (Middlesex 2:2). ¹⁵⁷ Clarke, *English Nobility*, 201–2.
¹⁵⁸ S 1142. ¹⁵⁹ Clarke, *English Nobility*, 175.
¹⁶⁰ GDB 130a (Middlesex 12:1–2). ¹⁶¹ JW *s.a.* 1041.
¹⁶² S 1462; HC, 274; though these relate to Cnut's reign.
¹⁶³ ASC C *s.a.* 1046, CDE *s.a.* 1051; JW *s.a.* 1051.
¹⁶⁴ S 1469. ¹⁶⁵ S 1017.
¹⁶⁶ GDB 184c (Herefordshire 10:39), 186c (Herefordshire 23:6).
¹⁶⁷ Earl Odda's sister, Edith, held Upleadon: GDB 186a (Herefordshire 18:1).
¹⁶⁸ ASC CD *s.a.* 1055. ¹⁶⁹ ASC CD *s.a.* 1055, 1056.
¹⁷⁰ S 1101, 1102. ¹⁷¹ GDB 179a (Herefordshire C:11–15).
¹⁷² GDB 186a (Herefordshire 19:2), 186b (Herefordshire 19:10).
¹⁷³ GDB 179a (Herefordshire C:11–12): Hereford.
¹⁷⁴ Clarke, *English Nobility*, 181. ¹⁷⁵ JW *s.a.* 1057: Leominster.
¹⁷⁶ GDB 185a (Herefordshire 10:58). ¹⁷⁷ GDB 180c (Herefordshire 1:40).
¹⁷⁸ S 997, 1106. ¹⁷⁹ JW *s.a.* 1051.

- 180 GDB 208a (Huntingdonshire D:10). ¹⁸¹ S 1107.
- 182 GDB 203a (Huntingdonshire B:5): Huntingdon.
- 183 GDB 203b (Huntingdonshire B:16–19): the unnamed earl had the third penny of Huntingdon. ¹⁸⁴ Ibid.
- 185 GDB 208b (Huntingdonshire D:11).
- 186 GDB 203b (Huntingdonshire B:16–19): the unnamed earl had the third penny of Huntingdon. ¹⁸⁷ Ibid.
- 188 GDB 203d (Huntingdonshire 2:8). ¹⁸⁹ GDB 208b (Huntingdonshire D:11–12).
- 190 GDB 376b (Lincolnshire CW:9–11); above, 182–8. ¹⁹¹ S 1233, 1478: St Mary’s Stow.
- 192 *VEdR*, 76. ¹⁹³ *VEdR*, 76; *ASC CDE s.a.* 1065, 1066.
- 194 GDB 336c (Lincolnshire C:27–32), 337a (Lincolnshire T:3).
- 195 GDB 336a (Lincolnshire C:6), 337a (Lincolnshire T:3): Lincoln and Torksey.
- 196 *VEdR*, 76; *ASC CDE s.a.* 1066. ¹⁹⁷ Above, 188–190: Crowland.
- 198 GDB 336a (Lincolnshire C:8). ¹⁹⁹ S 1000, 1226.
- 200 Godiva held three estates: GDB 231d (Leicestershire 11:1–3).
- 201 Ælfgifu held two estates: GDB 231d (Leicestershire 12:1–2).
- 202 *Hugh Candidus*, 69; GDB 231b (Leicestershire 5:2). ²⁰³ S 1000, 1226.
- 204 *ASC D s.a.* 1057: Earl Ralph was buried at Peterborough. ²⁰⁵ *Hugh Candidus*, 69.
- 206 Gytha held 13 estates (70 hides, £37) in Northamptonshire.
- 207 Ælfgifu held Warkton: GDB 222b (Northamptonshire 8:13).
- 208 S 1110. ²⁰⁹ *OV*, ii. 262; *Freeman, NC*, ii. 575. ²¹⁰ S 1481.
- 211 GDB 219a (Northamptonshire B:11). ²¹² GDB 228a (Northamptonshire 53:1).
- 213 S 1481. ²¹⁴ S 1481.
- 215 GDB 283d (Nottinghamshire 6:1): Newark, probably held by Earl Leofric before 1057.
- 216 Ibid. ²¹⁷ Ibid.

- ²¹⁸ Godiva held three estates (9 carucates, £59) in Nottinghamshire.
- ²¹⁹ Ælfgifu listed among those who had sake and soke in Nottinghamshire and Derbyshire: GDB 280c (Nottinghamshire S:5).
- ²²⁰ S 1160. ²²¹ GDB 280a (Nottinghamshire B:2).
- ²²² Ibid: Nottingham. ²²³ GDB 280c (Nottinghamshire S:1).
- ²²⁴ S 1022. ²²⁵ JW *s.a.* 1051. ²²⁶ S 1425. ²²⁷ S 1105.
- ²²⁸ GDB 154a (Oxfordshire B:1). ²²⁹ GDB 159c (Oxfordshire 54:1); above, 148 n. 96.
- ²³⁰ GDB 154a (Oxfordshire B:5): Oxford. ²³¹ S 1139, 1147, 1148.
- ²³² GDB 154a (Oxfordshire B:1). ²³³ GDB 154d (Oxfordshire 1:7a).
- ²³⁴ GDB 154d (Oxfordshire 1:7b). ²³⁵ GDB 154d (Oxfordshire 1:7b).
- ²³⁶ GDB 154d (Oxfordshire 1:8); above, 148 n. 96.
- ²³⁷ S 1000, 1226, 1392, 1393, 1394, 1395, 1396, 1398, 1406, 1408, 1409.
- ²³⁸ Evesham and Worcester: above, 163–77. ²³⁹ Above, 251–7.
- ²⁴⁰ Godiva held Belbroughton: GDB 177d (Worcestershire 26:13).
- ²⁴¹ S 1407, 1408, 1409. ²⁴² Above, 147 n. 89: Pershore.
- ²⁴³ WM, VW, 44. ²⁴⁴ S 1156, 1157, 1158. ²⁴⁵ S 1408.
- ²⁴⁶ HC, 403, 406; above, 174: church of Worcester. ²⁴⁷ GDB 176a (Worcestershire 15:2).
- ²⁴⁸ HC, 261–2. ²⁴⁹ GDB 172a (Worcestershire C:1–3).
- ²⁵⁰ GDB 172a (Worcestershire 1:1). ²⁵¹ GDB 172a (Worcestershire C:1–3): Worcester. ²⁵² Above, 251–7.
- ²⁵³ Eadgifu of Chaddesley may have been related to Earl Eadwine: GDB 178a (Worcestershire 28:1); HC, 261–2.
- ²⁵⁴ S 1407. ²⁵⁵ S 1407. ²⁵⁶ Harold son of Earl Ralph held Droitwich: GDB 177a (Worcestershire 22:1).

APPENDIX 3. ANALYSIS OF THE ESTATES ATTRIBUTED
TO THE HOUSE OF LEOFWINE IN DOMESDAY BOOK

	Aggregate value of estates (£)				Total
	Earl Ælfgar	Earl Eadwine	Earl Morcar	Other members of the house of Leofwine	
Circuit 3					
Bedfordshire	0	0	0	0	0
Buckinghamshire	26	0	0	8	34
Cambridgeshire	58	0	0	0	58
Hertfordshire	0	0	0	15	15
Middlesex	120	0	0	0	120
Circuit 4					
Leicestershire	0	0	22	12	34
Northamptonshire	12	0	11	7	30
Oxfordshire	36	56	0	0	92
Staffordshire	146	9	10	5	170
Warwickshire	10	84	0	48	142
Circuit 5					
Cheshire	0	142	10	0	152
Gloucestershire	0	0	0	0	0
Herefordshire	0	10	6	0	16
Ribble and Mersey	0	0	0	0	0
Shropshire	0	147	53	30	230
Worcestershire	0	68	0	21	89
Circuit 6					
Derbyshire	38	59	0	0	97
Huntingdonshire	40	0	0	0	40
Lincolnshire	76	24	272	0	372
Nottinghamshire	11	0	26	59	96
Yorkshire	0	195	628	0	823
Circuit 7					
Essex	114	0	0	4	118
Norfolk	33	0	0	19	52
Suffolk	11	0	0	66	77
Total	731	794	1,038	294	2,857

APPENDIX 4. ANALYSIS OF THE ESTATES ATTRIBUTED
TO THE HOUSE OF GODWINE IN DOMESDAY BOOK

	Aggregate value of estates (£)						Total
	Earl Godwine	Earl Gytha	Earl Gyrth	Earl Harold	Earl Leofwine	Earl Tostig	
Circuit 1							
Berkshire	0	0	10	164	0	10	184
Hampshire	56	57	0	142	0	137	392
Kent	286	0	0	4	63	0	353
Surrey	23	16	0	175	13	0	227
Sussex	412	107	50	328	0	6	903
Circuit 2							
Cornwall	0	0	0	116	0	0	116
Devonshire	0	176	0	182	43	0	401
Dorset	0	45	0	233	0	0	278
Somerset	0	98	0	155	10	11	274
Wiltshire	2	117	0	283	0	42	444
Circuit 3							
Bedfordshire	0	0	30	0	0	36	66
Buckinghamshire	0	0	0	48	40	56	144
Cambridgeshire	0	0	24	41	0	0	65
Hertfordshire	0	0	0	78	4	20	102
Middlesex	0	0	0	25	60	0	85
Circuit 4							
Leicestershire	0	0	0	40	0	0	40
Northamptonshire	0	0	0	0	0	12	12
Oxfordshire	0	0	0	46	0	12	58
Staffordshire	0	0	0	5	0	0	5
Warwickshire	0	0	0	0	0	0	0
Circuit 5							
Cheshire	0	0	0	1	0	0	1
Gloucestershire	0	0	0	63	0	12	75
Herefordshire	0	0	0	149	0	0	149
Ribble and Mersey	0	0	0	0	0	0	0
Shropshire	0	0	0	8	0	0	8
Worcestershire	0	0	0	12	0	0	12
Circuit 6							
Derbyshire	0	0	0	0	0	0	0

	Aggregate value of estates (£)						Total
	Earl Godwine	Earl Gytha	Earl Gyrth	Earl Harold	Earl Leofwine	Earl Tostig	
Huntingdonshire	0	0	0	10	0	12	22
Lancashire	0	0	0	0	0	0	0
Lincolnshire	0	0	0	197	0	0	197
Nottinghamshire	0	0	0	0	0	24	24
Rutland	0	0	0	5	0	0	5
Yorkshire	0	0	0	102	0	132	234
Circuit 7							
Essex	0	0	6	410	50	0	466
Norfolk	0	0	81	122	0	0	203
Suffolk	0	0	24	30	0	0	54
Total	779	616	225	3,174	283	522	5,599

APPENDIX 5. ANALYSIS OF THE ESTATES ATTRIBUTED
TO KING EDWARD AND QUEEN EDITH IN DOMESDAY
BOOK

	Aggregate value of estates (£)						
	King Edward						
	Est.						
	Land	No. of nights' farms	value of nights' farms	Total landed income	Other income	Total	Queen Edith
Circuit 1							
Berkshire	556	0	0	556	45	601	94
Hampshire	311	2	177	488	7	495	36
Kent	390	0	0	390	63	453	0
Surrey	117	0	0	117	34	151	76
Sussex	188	3	286	474	31	505	59
Circuit 2							
Cornwall	2	0	0	2	0	2	1
Devonshire	247	1	11	258	8	266	120
Dorset	65	4	400	465	4	469	90
Somerset	21	4.75	498	519	0	519	269
Wiltshire	55	6	600	655	79	734	179
Circuit 3							
Bedfordshire	74	1.5	40	114	0	114	0
Buckinghamshire	68	0	0	68	10	78	64
Cambridgeshire	126	6	27	153	14	167	0
Hertfordshire	20	0	0	20	8	28	0
Middlesex	0	0	0	0	0	0	0
Circuit 4							
Leicestershire	45	0	0	45	61	106	8
Northamptonshire	348	3	30	378	86	464	30
Oxfordshire	379	3	150	529	99	628	24
Staffordshire	18	0	0	18	6	24	0
Warwickshire	0	0	0	0	89	89	0
Circuit 5							
Cheshire	0	0	0	0	55	55	0
Gloucestershire	347	2.5	250	597	60	657	35
Herefordshire	38	0.25	10	48	12	60	105

Aggregate value of estates (£)							
King Edward							
	Est.		Total landed income	Other income	Total	Queen Edith	
	Land	No. of nights' farms					
Ribble and Mersey	145	0	0	145	0	145	0
Shropshire	60	0	0	60	28	88	0
Worcestershire	34	0	0	34	62	96	0
Circuit 6							
Derbyshire	105	0	0	105	16	121	0
Huntingdonshire	168	0	0	168	27	195	0
Lancashire	0	0	0	0	0	0	0
Lincolnshire	0	0	0	0	88	88	128
Nottinghamshire	79	0	0	79	12	91	0
Rutland	0	0	0	0	150	150	132
Yorkshire	137	0	0	137	53	190	0
Circuit 7							
Essex	0	0	0	0	35	35	26
Norfolk	82	0	0	82	58	140	0
Suffolk	85	0	0	85	0	85	24
Total	4,310	37	2,479	6,789	1,300	8,089	1,499

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